United States Court of Appeals

for the Second Circuit

APPENDIX

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74-2644-45

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P/S

United States Court of Appeals

For the Second Circuit

DOCKET NO. 74-2644

In the Matter of the Petition for
Limitation of Liability,
of
MARINE SULPHUR TRANSPORT CORPORATION,
As Owner,
and
MARINE TRANSPORT LINES, INC.,
As Demise Charterer,
of the Vessel MARINE SULPHUR QUEEN,
Petitioners-Appellees and Appellants,

HALGA WATSON, as widow and Executrix of Estate of
George Watson, deceased,
Claimant-Appellant and Appellee.

DOCKET NO. 74-2645

HALGA WATSON, as widow and Executrix of the Estate of
George Watson, deceased,
Plaintiff-Appellant and Appellee,

against

MARINE SULPHUR TRANSPORT CORP. and
MARINE TRANSPORT LINES, INC.,
Defendants-Appellees and Appellants.

ON CROSS APPEALS FROM THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

UNITED STATES COURT OF APPEALS
FILED
MAR 9 1975
S. DAVID FINE, CLERK

JOINT APPENDIX

SCHWARTZ & O'CONNELL
Attorneys for Halga Watson
243 Waverly Place
New York, New York 10014
(212) 691-2250

CADWALADER, WICKERSHAM & TAFT
Attorneys for Marine Sulphur Transport Corporation and Marine Transport Lines, Inc.
One Wall Street
New York, New York 10005
(212) 785-1000

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5

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INDEX

PAGE

Relevant Docket Entries—Case No. 63 AD 237 .... 1a

Relevant Docket Entries—Case No. 63 Civ. 486 .... 7a

Transcript of Proceedings:

December 10, 1973 (Excerpts) 10a

December 11, 1973 (Excerpts) 16a

December 19, 1973 (Excerpts) 17a

December 20, 1973 (Excerpts) 67a

December 21, 1973 (Excerpts) 68a

WATSON EXHIBITS

1—Income Tax Returns 1961, 1962, 1963 ..... 69a

2—Testimony of Dr. Ornati (Excerpts) 81a

3—Testimony of Kenneth Camisa (Excerpts) December 4, 1973 ..... 109a

4—Testimony of Kenneth Camisa (Excerpts) December 10, 1973 ..... 133a

6—1969-1972 Memorandum of Understanding, page 1 ..... 145a

9—Chart—Pension Calculation for Chief Mate 146a

9A—Chart—Pension Calculation for Chief Mate with 4½% Annual inflation factor 148a

10—Chart—Pension Calculation for Master 149a

10B—Chart—Pension Calculation for Master with 4½% Annual inflation factor 151a

11A—Chart — 1972 - 1975 Collective Bargaining Agreement yearly wage increases 152a

PAGE

13—Interrogatories, Answers and Attachments (Excerpts) 153a

14—Watson personal ledger records 167a

15—Estimated expenditures 1960, 1961, 1962 ... 188a

16—Testimony of Eugene Yourch (Excerpts) .. 191a

24—Tanker vacation schedules 193a

30—Retired Masters of Marine Transport Lines 194a

32—MMP Welfare Plan Regulations and Contribution Schedules (Excerpts) 195a

34—Martin E. Segal Report Re Pensions (Excerpts) 234a

COMPANIES' EXHIBITS

A—Income tax returns 1959, 1960 ..... 236a

B—Chart—Calculation of Pecuniary Loss 2/3/63 to 1/1/74 ..... 244a

C—Chart—Calculation of Pecuniary Loss 1/1/74 to 7/1/1985 ..... 245a

Opinion of Hon. John M. Cannella dated July 31, 1974 ..... 246a

Judgment of Hon. John M. Cannella entered Nov. 25, 1974 ..... 281a

Amended Notice of Appeal Case No. 63 AD 237 (JMC) 283a

Amended Notice of Appeal Case No. 63 Civ. 486 (JMC) 284a

Cross-Notice of Appeal Case No. 63 AD 237 (JMC) 285a

Cross-Notice of Appeal Case No. 63 Civ. 486 (JMC) 286a

RELEVANT DOCKET ENTRIES

Case No. 63 AD 237

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Petition for
Limitation of Liability

63 AD 237

of

MARINE SULPHUR TRANSPORT CORPORATION,
as owner

and

MARINE TRANSPORT LINES, INC., as
demise charterer

of the

Vessel MARINE SULPHUR QUEEN

RELEVANT DOCKET ENTRIES

DATE	PROCEEDINGS
Mar 1 - 63	Filed petition for limitation & Stip. for costs ($250. Nat'; Surety Corp.)
Apr 8 - 63	Filed Claims of Geraldine Fanning, Halga Watson, Angie Cunningham, Eunice Hall and Monica Sloat
Apr 8 - 63	Filed answer of claimants: Geraldine Fanning, Halga Watson, Angie Cunningham, Eunice Hall and Monica Sloat
Feb 3 - 65	Filed Affidavit of Mailing Interrogatories to attorneys as listed
Dec 8 - 65	Filed Answers of Halga Watson to Interrogatories

June 28 - 72 Filed MANDATE of the U.S.C.A. Ordered that the decree of the District Court is affirmed in part and reversed in part with costs to be taxed against appellants Marine Transport Lines, Inc. and Marine Sulphur Transport Corp. in favor of death claimants Ida Ruth Heard, et. al., and against said death claimants in favor of impleaded respondent-appellant Bethlehem Steel Corp. in accordance with the opinion of this (USCA.) Court. (Opinion of U.S.C.A. attached). DOCKETED AS JUDGMENT #72,678 (mailed Notice)

Costs taxed in the sum of $13,744.70 in favor of appellant Bethlehem Steel Corp.

Costs taxed in favor of claimants Ida Ruth Heard, et. al. in the sum of $566.93.

Costs taxed in favor of appellant-Marine Sulphur Transport Corp. owner of vessel), in the sum of $6,625.

Feb. 22 - 73 Filed Supplemental Answers of Claimant Geraldine Fanning, Halga Watson, Eunice

Hall, Angie Cunningham and Monica Sloat to the Interrogatories dated 4/16/69 (Also in 64 AD 769)

Mar 19 - 74 Filed Petitioner's reply brief on damages

May 22 - 74 Filed petitioner Marine Sulphur Transport Corp's Memorandum of Law

July 31 - 74 Filed Opinion #41034 - These proceedings are to assess the pecuniary loss sustained by dependent relatives of six men who died with the catastrophic sinking of the Marine Sulphur Queen on or about 2/3/63.

John L. Denton - the Court finds the general award as indicated by the appended schedules to be as follows: Making total award: $499,655.

James V. Fanning - the Court finds the general award as indicated by the appended schedules as follows: Making total award - $336,828.

Adam Martin - the court finds the award as indicated by the appended schedules as follows: $172,635.

Eugene V. Schneeberger - the Court finds the award to the widow as indicated by appended schedules to be as follows:

$263,103. The widow obtained partial summary judgment of $25,000 by order of the Court dated 5-24-74 and the final award is reduced by that amount to $238,103.

Albert R. Van Sickle: The court finds the general award as indicated by the schedules to be as follows: $280,227. The apportionment of the general award of $280,227 is as follows as indicated. The awards are to be reduced by the amounts of partial summary judgment granted by order of 4-1-74.

George Watson - The court makes an award as indicated by the appended schedules as follows: $204,748.

The foregoing shall constitute the court's findings of fact and conclusions of law. Submit decrees in accordance with the foregoing together with application for allowances of fees and disbursements in connection with infant's claims.

CANNELLA, J. (m/n)

Aug 21 - 74 Filed claimant Halga Watson undertaking for costs in the sum of $250.00 United States Fidelity and Guaranty Company

Aug 21 - 74	Filed claimant Halga Watson, as widow an Executrix of the estate of George Watson, deceased, notice of appeal from the Opinion, constituting the Court's findings of fact and conclusions of law, dated and entered on 7-31-74. Copy to: Mendes & Mount. Ent. 8-22-74
Aug 27 - 74	Filed Notice of Petitioner Halga Watson, exec. of rejection of notice of appeal.
Nov 15 - 74	Filed claimant and pltff. Halga Watson, etc. notice of motion for partial summary judgment and for order directing immediate payment. Ret. 11-25-74 (Memo Endorsed)
Nov 25 - 74	Filed Ex Parte Order that the motion of claimant and pltff. Halga Watson, for partial summary judgment be adjourned from 11-25-74 to 12-6-74. CANNELLA J. (m/n)
Dec 6 - 74	Filed petitioners and defts. affdvt. of Daniel Huttenbrauck in opposition to motion by pltff, Halga Watson
Nov 25 - 74	Filed Decree and Order and Judgment # 74,909 that Halga Watson, as Executrix

of the Estate of George Watson, deceased, have judgment against Marine Sulphur TransportCorp. and Marine Transport Lines, Inc. for the sum of $204,749 and taxable costs and as indicated.

CANNELLA J.

Judgment entered 11-25-74. Clerk (m/n)

Dec 19 - 74 Filed claimant Halga Watson amended notice of appeal from decree, order and final judgment entered 11-25-74. Mailed copy to Mendes & Mount Entered 12-19-74

Dec 30 - 74 Filed petitioners cross notice of appeal from the decree, order and final judgment entered 11-25-74. Mailed copy to: Schwartz & O'Connell. Entered 12-31-74

Jan 30 - 75 Filed Trial Memorandum of Claimants Cunningham, Fanning, Hall, Sloat and Watson.

Jan 30 - 75 Filed Petitioners' brief on damages

Jan 30 - 75 Filed Stipulation designating exhibits to be transmitted to U.S.C.A.

Jan 30 - 75 Filed notice that the record on appeal has been certified and transmitted to the USCA on 1-31-75

RELEVANT DOCKET ENTRIES

Case No. 63 Civ. 486

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
----------x

HALGA WATSON, as widow and Executrix of the Estate of GEORGE WATSON, deceased,

63 Civ. 486

Plaintiff,

- against -

MARINE SULPHUR TRANSPORT CORP. and MARINE TRANSPORT LINES,INC.

Defendant.
----------x

RELEVANT DOCKET ENTRIES

DATE	PROCEEDINGS
Feb 20 - 63	Filed complaint and issued summons.
June 3 - 63	Filed Order referring action to Cannella, J. for all purposes. - Sugarman, Ch. J.
Dec 19- 73	Before Cannella, J. non-jury trial begun.
Dec 20-73	Trial cont'd.
Dec 21-73	Trial cont'd. and concluded. Decision reserved.
Jan 24-74	Filed transcript of record of proceedings dated 12/19/73.
Jan 31-74	Filed transcript of record of proceedings dated 12/20/73.
July 31-74	Filed opinion No. 41034 (filed in 63 AD 237) JMC)

Aug 21 - 74	Filed undertaking for costs in the sum of $250.00 - United States Fidelity and Guaranty Company.
Aug 21 - 74	Filed claimant Halga Watson, as widow and Executrix of the Estate of George Watson, deceased, notice of appeal from Opinion, constituting the Court's findings of fact and conclusions of law, dated and entered 7/31/74. Copy to: Mendes & Mount, Ent. 8/22/74.
Aug 27 - 74	Filed notice of claimant Halga Watson, as exec. of rejection from notice of appeal.
Nov 1 - 74	Filed true copy of USCA Order that appeal is dismissed. (m/n)
Dec 17 - 74	Filed pltff's amended notice of appeal from decree, order and final judgment entered 11/25/74. Copy mailed to Mendes & Mount, Entered 12/19/74.
Dec 30 - 74	Filed defts. cross notice of appeal from the decree, order and final judgment entered on 11/25/74. Mailed copy to Schwartz & O'Connell. Entered 12/31/74.
Dec 31 - 74	Filed true copy of USCA order that

	appellant's motion to vacate the order dismissing the appeal is granted. (m/n)
Jan 30 - 75	Filed transcript of record of proceedings dtd dec. 21/73.
Jan 30 - 75	Filed plaintiff's post-trial memorandum with proposed findings of fact and proposed law.
Jan 30 - 75	Filed plaintiff's letter reply brief dated Mar 7/74.
Jan 30 - 75	Filed plaintiff's Memorandum re pension for George Watson dated May 22/74.
Jan 30 - 75	Filed stipulation designating exhibits to be transmitted to U.S.C.A.
Jan 31 - 75	Filed notice that the record on appeal has been certified and transmitted to the U.S.C.A. on 1/31/75.

TRANSCRIPT OF PROCEEDINGS,
DECEMBER 10, 1973

(Excerpts)

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THE WITNESS: When I define lost income I mean that was lost income to her or to whoever we are speaking about. Income available for consumption, I guess might be the best, money that was available to be consumed by them.

Q So that for the period from 1963 to 1973 the actual money that should be given to this person to reimburse them or to make them whole for the loss that they sustained back on February 3rd of 1963 would be $169,238?

A Yes.

Q Have you made some calculations with respect to Period B?

A Yes, I have.

XXX

(Defendant Exhibit D was marked for identification.)

Q Exhibit C for identification, in whose handwriting is that?

A That is mine.

Q Tell us the period covered by your Period B, which is Defendant's Exhibit D for identification.

A January 1, 1947 to September 10, 1978.

Q Why did you pick September 10, 1978?

A I had to try to determine a work life expectancy and what I did is I chekced the report called the Masters, Mates and Pilots Pension Trust, and the actuarial evaluation

and review by Martin Segal Company, and I amde some calculations for those two years.

MR. SCHWARTZ: May we have the document marked that he just referred to?

MR. HUTTENBRAUCK: Do you have it with you?

MR. SCHWARTZ: I thought he was looking at it.

THE WITNESS: I was looking at my notes.

MR. SCHWARTZ: I would like the document marked.

THE WITNESS: I copied the figures out. Do you want me to get the document?

MR. HUTTENBRAUCK: Yes.

(Discussion off the record.)

THE WITNESS: That would be Table 5-A and Table 5-B on pages 15 and 16, respectively.

MR. SCHWARTZ: Can we have those marked for identification so I can cross exmaine him about them?

MR. HUTTENBRAUCK: I don't want them marked for identification. They should be his exhibit.

THE COURT: It makes no difference. Make them the plaintiff's exhibit.

XXXX (Plaintiff's Exhibit No. 34 was marked for identification.)

Q Now, would you proceed with your answer to my

question of why you picked September 10, 1978 as the anticipated or expected date of retirement.

A What I had done is I had looked at the Segal report, and in 1969 I found the average of all pensions was 60.3 years of age.

MR. SHCWARTZ: I want to object. It is clear we are now taking all of the people who have retired, masters, chief mates --

MR. HUTTENBRAUCK: Why doesn't this man let the witness finish?

MR. SCHWARTZ: I know what the report is.

THE COURT: He hasn't finished his answer, and the objection may be valid but, on the other hand, it is in the middle of an answer.

MR. SHCWARTZ: I'm sorry.

THE COURT: And he didn't conclude his answer.

A The average age of retirment, these are all pensions, was 60.3 in 1969, and in 1970 it was 59.9 years of age. For those two years the average was 60.1 years.

I also just took a breakdown of normal pensions, these are pensions that are not due to disability or early retirement, and in 1969 the average age was 59.1 years, and in 1970 was 59.4. So the average of averaging all these together is a little bit less than 60, so I just picked 60.

MR. SCHWARTZ: Now that he has finished, if he read the report he also knows that that includes night mates, third mates, second mates, chief mates, masters working on dry cargo ship, masters working on tankers, masters sailing offshore, and the same thing with regard to the chief mate, the second mate and third mate.

I submit that just as the wage data with regard to the industry in general has not been found to be relevant that these figures are certainly not relevant to the situation that we have had described with regard to Fanning, who was a captain employed by the Marine Transport Lines, and I don't think those figures are relevant.

THE COURT: I will take it to the weight of the evidence.

I don't think your sampling of those five captains was an exact mathematical computation, either, so that none of this is with mathematical precision. We haven't got anything here which is mathematically perfect as to this class. Nobody that I ever heard of in sampling ever said if you took five captains and said because these five captains were there between 1968 and 1973 that this is going to give us an average which is a workable average any more than this would.

MR. SCHWARTZ: But that is not what that exhibit

showed. My exhibit showed --

THE COURT: That is like throwing the dice. Just because you throw them six times and get six six times that doesn't mean the seventh time you throw them you will get six. It's not a sampling.

I think they both suffer the same defect. I am not going to be bound mathematically by either one of them. I think they have some relevance, and I will give each of them the weight I think they deserve, but I don't think they deserve the weight of mathematical precision at this point.

This particular figure here is an amorphous one at the best because we never know when anyone is going to retire. The trouble with this is that you start to assume then that because it appears in an expectancy table or it appears in some sort of a prognostication table that this is a firm figure, and it isn't, becasue when I read the section to you on expectancy, for example, there are many, many other things that go into it.

In this case, even with this figure, I could very well figure that Fanning might work until he was 65. That is not going to prevent me from doing that, any more than you- figure is going to hold me to 64. Neither figure is going to bind me.

MR. SHCWARTZ: I understand that, but it just seemed to me --

THE COURT: I am going to take it, and I will do it over objection, if necessary, but I indicate to you I don't accept this as a mathematical precise figure. I take it as what the industry says overall these men have been doing over this period of time as a historical fact. Whether or not it applies to masters alone it has some weight because it deals with the industry.

MR. SCHWARTZ: There is also a variety of pensions, 25 or 30.

THE COURT: I have been listening to the testimohy, and I know. I will take those arguments into consideration when I amke a judgment as to what I believe the work expectance was in this particular case.

Q Will you go back, Professor? You selected September 10, 1978 as the expected date of retirement. You based that on assuming that the individual we are talking about here, Captain Fanning, or someone similarly situated, would retire at the age of 60 ; correct?

A Right. I didn't do my own study on this. I used the Segal report, and I just took whatever figures shown there.

THE COURT: The Segal report doesn't apply to a

TRANSCRIPT OF PROCEEDINGS,
DECEMBER 11, 1973

(Excerpts)

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jgk (417)

MR. SCHWARTZ: No. We aregoing to cover that witness.

THE COURT: Now we get back to you. That's the defendant's case. The defendant rests.

MR. HUTTENBRAUCK: Yes.

THE COURT: Any rebuttal on behalf of the plaintiff?

MR. SCHWARTZ: No, your Honor.

THE COURT: Do you have all your exhibits in?

MR. SCHWARTZ: Well, 34 for identification, marked during Dr. Zdanowicz's testimony, and that was the reference to table 5A and B of the pension plan report.

THE COURT: Any objection?

MR. SCHWARTZ: That shows the retirement age.

THE COURT: Any objection?

MR. HUTTENBRAUCK: Non.e

THE COURT: All right. Received.

MR. SCHWARTZ: I think I will just pull it out rather than have the whole book.

THE COURT: Do what you want as long as you have the part that you want in.

***

(Plaintiff's Exhibit 34 for identification was received in evidence.)

THE COURT: These charts here, they are all in

TRANSCRIPT OF PROCEEDINGS, DECEMBER 19, 1973

(Excerpts)

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THE COURT: We will reserve that point until he comes back again.

(Discussionoff the record.)

THE COURT: Would you stipulate that Watson was the chief mate on board the Marine Sulphur Queen at the time of the disaster?

MR. HUTTENBRAUCK: Yes.

THE COURT: And that he was born on December 17, 1911?

MR. HUTTENBRAUCK: So stipulated.

THE COURT: And thast the present plaintiff in this case, namely, the representative of this class, was the wife of the deceased and that they were married in February of 1954?

MR. HUTTENBRAUCK: So stipulated.

THE COURT: Would you also stipulate that if she testified she would say that her birth date was July 9, 1913?

MR. HUTTENBRAUCK: So stipulated.

THE COURT: And that there were no children of the marriage?

MR. HUTTENBRAUCK: We will stipulate that.

THE COURT: And that neither one of them were married prior to this incident?

MR. SCHWARTZ: They were, but there are valid divorces.

MR. HUTTENBRAUCK: There were valid divorces.

THE COURT: So there is no dispute she is the legal wife and has the right to bring this suit?

MR. HUTTENBRAUCK: So stipulated.

THE COURT: What else would you want to put in?

MR. SCHWARTZ: I have some of the -- I'm sorry, did you say he was the permanent chief mate?

THE COURT: I said chief mate.

MR. HUTTENBRAUCK: I can't stipulate permanency but I suspect he was.

THE COURT: We will check it then when the man comes in.

MR. SCHWARTZ: I have his income tax for the years 1963 and 1962.

MR. HUTTENBRAUCK: How much was it for 1963, and I will stipulate if it is the same I have.

MR. SCHWARTZ: These are the same things. The 1963, everything all together I guess was $2,050. Is that what you have got?

MR. HUTTENBRAUCK: And 71 cents.

MR. HUTTENBRAUCK: We so stipulate, that that was his taxable income for 1963.

MR. SCHWARTZ: Part of that, of course, like in the other cases, was a certain amount of money that was received from the tanker vacation plan.

MR. HUTTENBRAUCK: No question about that.

MR. SCHWARTZ: The 1962 income tax return shows $17,163.08.

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: For 1961, just for general information, we have a total of $16,733.88.

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: These income tax returns were made out, and she will so testify, by Mrs. Watson, and this is her handwriting.

MR. HUTTENBRAUCK: But they are joint returns.

MR. SCHWARTZ: Yes. She was the bookkeeper.

THE COURT: Mark them for identification.

XX

(Plaintiff's Exhibit No. 1 marked for identification.)

MR. HUTTENBRAUCK: While we are at that, I would like to mark the 1959 and 1969 federal income tax returns, your Honor.

THE COURT: How much was that?

MR. HUTTENBRAUCK: 1959 was $14,836.78.

THE COURT: And 1960?

MR. HUTTENBRAUCK: $12,528.77.

MR. SCHWARTZ: If your Honor please, I don't have any objection to their going in as general information. My position, of course, is indicated in the brief.

THE COURT: I know what it is. He says five years. I don't know what I am going to do.

MR. SCHWARTZ : You always have to look and see when he collected his paid vacation. That is the variable.

THE COURT: All he is asking you is to stipulate as he stipulated with you that that is what the returns show.

MR. SCHWARTZ: I see, for example, in 1959, which has the $14,836.78 figure, it shows $5804.41 from the Masters, Mates & Pilots vacation plan.

In 1960, the next year, there is no entry from the Masters, Mates & Pilots vacation plan. The figure then is less than the year before, but if you actually matched earnings you will see the payroll earnings in 1959 were less than the payroll earnings in 1960.

I am just anxious, since we are not putting the whole return in evidence, that it be understood that the

reason for the difference is not that he wasn't working that year, it is just the variable that occurs when the vacations are collected.

THE COURT: But you are stipulating that that is what the returns show?

MR. SCHWARTZ: Yes.

THE COURT: Those will be marked for identification too.

XXX (Defendant Exhibit A was marked for identification.)

THE COURT: There is no need to receive them in evidence since the facts are stipulated to.

MR. SCHWARTZ: We made up a list running through the Fanning case of the kind of stipulations we are going to suggest in this case, and I see that these other items would be the kind of things that Mr. Yourch and Mr. DeMott would be necessary for.

THE COURT: What about the transcripts of any prior trials? Do you have any of those?

MR. SCHWARTZ: Suppose, for example, with regard to Professor Ornati's testimony we would like to have that marked for this case.

THE COURT: All right. Plaintiff's Exhibit 2. Any objection?

MR. HUTTENBRAUCK: No objection.

THE COURT: What pages are they and in what case?

MR. SCHWARTZ: The date is 11/26/73. It is the Chuser case. It starts on page 147 and continues through page 216.

(Discussion off the record.)

THE COURT: That will be made part of the plaintiff's case by reference, and it is deemed Plaintiff's Exhibit 2.

XX

(Plaintiff's Exhibit No. 2 was received in evidence.)

MR. SCHWARTZ: I would also like to put in Mr. Camisa's testimony in the Fanning case.

THE COURT: Give me the date and the pages.

MR. SCHWARTZ: December 4, 1973. Pages 171 through 230.

MR. HUTTENBRAUCK: No objection.

XX

(Plaintiff's Exhibit No. 3 was receivedin evidence.)

MR. SHCWARTZ: Then he testified again on December 10, 1973, his cross examination, starting on page 248 and he finished his testimony on redirect at page 287 on the same day.

THE COURT: Was that Fanning?

MR. SCHWARTZ: That was also Fanning, yes, your Honor.

MR. HUTTENBRAUCK: No objection.

XXX (Plaintiff's Exhibit No. 4 was received in evidence.)

MR. SCHWARTZ: I will call Mr. Camisa to the stand.

THE COURT: How about any prior testimony of his? Does it apply to this rating? Has he testified before?

MR. SCHWARTZ: Yes. We have been talking about him.

THE COURT: Yes, that's right, in the Fanning case.

All right.

(Mr. Kenneth Camisa was called as a witness by the plaintiff, and was duly sworn.)

MR. SCHWARTZ: I see the people we were waiting for have just come in.

THE COURT: Then we will recess now.

(Recess.)

MR. SCHWARTZ: Judge, I am pleased to report that we have made the same kind of progress in this case that we made in Fanning's in arriving at the stipulations, and obviating the need of testimony of at least three witnesses

and the prolonging of the testimony of Mr. Camisa.

I have gone over the stipulations I am going to read into the record with Mr. Yourch, who is the vice president of Marine Transport Lines, Mr. Kelly, who is in their personnel department, and Mr. DeMott, who is their paymaster, along with Mr. Huttenbrauck.

The first stipulation that I would like to read into the record that we have agreed to is that George Watson was a permanent employee of Marine Transport Lines and was the permanent Chief Mate on the Marine Sulphur Queen at the time of this loss.

Further, during the time that he sailed as the permanent chief mate on the Marine Sulphur Queen he also served on that same vessel as relief master.

Next, that Mr. Watson had been a fully employed licensed deck officer for Marine Transport Lines, which means that from the time he went to work for them some six years prior to his death he was eitther on the company payroll or was receiving vacation pay while off the ship.

He took no additional periods of time off without pay.

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: For the record, I don't think I asked Mr. Huttenbrauck about whether he stipulated to the

comments that I made just before then, but I guess that is so stipulated, too.

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: Thank you.

Next, that there is flexibility in a licensed deck officer's ability to take vacation, which means that after being employed for a while he can take the vacation time that has accrued, be paid for that vacation time, and then return to the vessel to commence working again in order to accrue more vacation time.

MR. HUTTENBRAUCK: I am wondering if you shouldn't put in there, just to make it a little clearer, that he can only take these vacations after the completion of a particular voyage.

MR. SCHWARTZ: I would agree iwth that. These voyages run about two weeks, and he wouldn't get off in the middle of a trip.

THE COURT: All right, so stipulated.

MR. SCHWARTZ: I would like to introduce -- and we have agreement to introduce -- Exhibit No. 24 in the Fanning case, which is the schedule of vacations from the year 1961 to 1972, which we broke down in terms of calendar years fo rease of calculation.

THE COURT: Where is that exhibit? We will put

another tag on it.

MR. SCHWARTZ: That schedule is for the masters as well as for the mates.

THE COURT: In order to have uniformity we will give it No. 24 in this case, too, and when we reach 24, if we do in this case, we will skip that number.

XXX (Plaintiff's Exhibit No. 24 was received in evidence.)

THE COURT: Then it is No. 24 in both cases.

MR. SCHWARTZ: The next stipulation is that if Mr. Murphy or Mr. Kelly, the persons in charge of personnel, were called to testify, both of whom knew Watson generally but not very well personally, that they would state that they know of no reasonthat Mr. Watson would not have continued in the employ of the company, if he had so desired.

Is that so stipulated?

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: Further, it is stipulated that at some point during the years 1963 to 1973, Period A as we have been referring to it in this case, and most probably by the year 1968, Mr. Watson would have been designated as the permanent master aboard one of the company's molten sulphur carrying vessels.

Now, if your Honor please, with that stipulation

it becomes relevant to refer to some of the similar stipulations or relevant stipulations in the Fanning case.

THE COURT: Put them in this case. Either put them in or for about them.

MR. SCHWARTZ: The next stipulation is that during the years that he would have served as master, which we have stipulated would be at least starting from 1968, on, that Exhibit 12 i n the Fanning case would alsw apply in this case.

Now, Exhibit 12 was a chart we had hanging from that easel which referred to the components of the master's pay. We talked about Item 6, which was clerical work, Item 7 which was master's overtime --

THE COURT: The chart speaks for itself. Let's mark it. Give it the same number here as in the Fanning case, namely, 12.

MR. SCHWARTZ: That chart showed when you balanced these things against one another there was a thousand dollar figure in favor of the master.

XX (Plaintiff's Exhibit No. 12 was received in evidence.)

MR. SHCWARTZ: We also have a stipulation that Exhibit 31 in the Fanning case, which is that breakdown with regard to the effective number of jobs in the coastwise

tanker industry, showing that the jobs have remained the same, be introduced in this case.

THE COURT: That will als- be made he same number, 31.

XXX (Plaintiff's Exhibit No. 31 was receivedin evidence.)

MR. HUTTENBRAUCK: If you want a reference, your Honor, that is on page 305 of the Fanning transcript.

THE COURT: All right.

MR. SCHWARTZ: We also have a stipulation with regard to retirement eligibility. In this case for your Honor's reference the Period B that we claim would extend to the year 1976.

THE COURT: No.

MR. SCHWARTZ: In this case.

THE COURT: Are you sure of that, or is that his age, 76?

MR. SHCWARTZ: No, 76 was the life expectancy. Period B, the work expectancy, would be up to 1976.

THE COURT: That is 64 years of age?

MR. SCHWARTZ: Yes. So that the stipulation is that by the year 1976, and probably somewhat before that date, if Mr. Watson had continued to work through that time he would have become eligible for retirement under the

provisions of the thirty-year pension.

We have that stipulation in the Fanning case on pages 198 and 199 of the Fanning transcript.

MR. HUTTENBRAUCK: So stipulated.

MR. SCHWARTZ: I would like to introduce the same exhibit 30 as was introduced in the Fanning case, the document which shows that certain masters retired from Marine Transport Lines since 1968.

That document shows that all of the masters that retired since 1968 from the Marine Transport Lines added up to five masters, and that exhibit also set forth their ages.

THE COURT: One was 55. He was sick.

MR. SCHWARTZ: That's right.

THE COURT: I remember the document. Just mark it.

MR. HUTTENBRAUCK: Will Mr. Schwartz admit the average of those five men was 62.8 years?

THE COURT: He doesn't have to, because that is merely mathematical.

Also, I recall telling Mr. Schwartz it is not in my opinion a random sample for sampling purposes to arrive at any kind of average.

MR. SCHWARTZ: Don't make it worse than what it

We also have a stipulation that the interest rate assumption for investments that was used by the trustees of the MM&P pension plan is 4 per cent. That is the same stipulation that we have in the Fanning case.

Is that so stipulated?

MR. HUTTENBRAUCK: So stipulated.

MR. SHCWARTZ: I am pleased to report that with regard to Period A --

THE COURT: Span A.

MR. SCHWARTZ: -- Span A, we have the same kind of situation we had in the Fanning case, and that is if George Watson as chief mate were alive between 1963 through 1973, a period of eleven years, he would have earned $235,601.57, and that if you add the 6 per cent prejudgment interest that figure then comes tc $326,167.82.

MR. HUTTENBRAUCK: I will stipulate that those are the figures, subject to some arithmetical error that we can agree to modify.

THE COURT: All right.

MR. SCHWARTZ: I would like that marked in evidence. This is a new exhibit, and this will be just for chief engineers.

THE COURT: That will be No. 5.

MR. HUTTENBRAUCK: No objection.

In the Fanning case, Exhibit 5 was a chart that showed the periods of time covered by the collective bargaining agreement. I would like to have that marked in this case.

THE COURT: We will mark this one then 5-A to keep it consistent with the Fanning 5.

xx (Plaintiff's Exhibit 5-A received into evidence, as of this date.)

MR. SCHWARTZ: Fanning Exhibit 9 was a list of the tankers of the Marine Transport Lines that were owned in 1963 and that are owned now. I would like to introduce that in this case, if I may.

THE COURT: Make that 9-B in this case.

xxx (Plaintiff's Exhibit 9-B, received into evidence as of this date.)

MR. SCHWARTZ: Fanning Exhibit 11 was a chart showing the sections of the 1972 collective bargaining agreement that authorized the 6 percent annual increases, and with this was a stipulated by Mr. Yourch that the current --

MR. HUTTENBRAUCK: Mr. Yourch didn't make the stipulation, Mr. Schwartz.

MR. SCHWARTZ: Yes.

MR. HUTTENBRAUCK: Didn't I make the stipulation?

MR. SCHWARTZ: Yes, I am sorry.

THE COURT: On Mr. Yourch's say so Mr. Huttenbrauck was willing to stipulate .

MR. HUTTENBRAUCK: Yes.

MR. SCHWARTZ: That the current contract which expires in 1975 permits a 6 percent annual increase in base wages. That was Fanning Exhibit 11. I would like to have that marked in this case.

MR. HUTTENBRAUCK: No objection.

xxx (Plaintiff's Exhibit 11-A received into evidence, as of this date.)

MR. SCHWARTZ: Fanning Exhibit 12, which is a chart showing the components of master's pay under a 1972 collective bargaining agreement, I would like to introduce that in this case as well.

MR. HUTTENBRAUCK: That has been introduced.

MR. SCHWARTZ: We had a stipulation that sounded something like that. I am sorry, maybe I am wrong.

MR. HUTTENBRAUCK: I thought we put it in as 12.

MR. SCHWARTZ: I am sorry. I guess that's in.

THE COURT: That is withdrawn then?

MR. SCHWARTZ: Yes.

If your Honor plesse, I assume you have the same attitude toward the work expectancy document which

came from the Department of Labor which is marked as Plaintiff's Exhibit 27 for identification in the Fanning case. I would like to have it marked for identification in this case.

I would offer it into evidence but I assume your ruling would remain the same.

THE COURT: Yes. It is received subject to the same ruling I made in the other case.

xxx (Plaintiff's Exhibit 27 was marked for identification, as of this date.)

MR. SCHWARTZ: The discount tables used by Mr. Camisa were marked as Fanning Exhibit 28. I would like to have those discount tables taken from the book marked Fanning Exhibit 28 marked as an exhibit in evidence in this case.

MR. HUTTENBRAUCK: No objection. But I want to make sure I get a copy of that.

(Plaintiff's Exhibit 28 received into evidence, as of this date.)

MR. SCHWARTZ: Exhibits 32 and 33 in the Fanning case were actually markings left open so that we could introduce copies of the Welfare regulations and the Welfare Trust documents, along with the rates for Welfare coverage over the course of the various years involved in this case.

Also, a study prepared for the trustees of the Masters, Mates and Pilots Welfare Plan that was prepared recently showing what the cost on the commercial market would be for dependents.

If your Honor please, I would get an extra set of the regulations and the trust documents and an extra set of the study and introduce those as exhibits in this case.

MR. HUTTENBRAUCK: I don't see what relevance it has.

THE COURT: I will take then in the same light I took them in the other case. At this point I am not pursuaded they have, but if I find in reading the case they are relevant I would indicate I was using them. They are therefore taken subject to connection.

xxx

(Plaintiff's Exhibits 32 and 33 deemed received into evidence, as of this date.)

MR. SCHWARTZ: That's it, Judge. Thank you.

THE COURT: Do you want to call Mrs. Watson?

MR. SCHWARTZ: All right.

THE CLERK: You are still under oath, ma'am. You may be seated.

H A L G A W A T S O N, resumed.

DIRECT EXAMINATION

XXX

BY MR. SCHWARTZ:

Q Mrs. Watson, we have stipulated to a number of things that you and I talked about so I am not going to have to ask you questions about them, but suppose you tell me where you lived at the time of Captain Watson's death.

A At 6609 Gulfcrest Drive, Galveston, Texas.

Q How long have you lived at Gulfcrest Drive?

A About two years.

Q Prior to that time, did you also live in Galveston?

A Yes, we did.

Q What kind of accommodations, an apartment or a home?

A We had an apartment.

Q The address at Gulfcrest Drive, what was that, a house, an apartment, or what?

A That was our home. We built it.

Q When did you first begin to plan the building of that house?

A In about 1958 or 9.

Q Do you recall what you paid for that house?

A It was about $22,000, maybe a little more.

Q About how much was your mortgage?

A In the vicinity of $18,000.

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Q How long was the term of your mortgage?

A Thirty years.

Q In whose name was the house?

A In both our names.

Q Will you describe the house for me, if you will?

A Well, it is a brick ranch style, has a large living room, kitchen, dinette, two bedrooms, one bedroom we had made into a den, and two full baths, and a two-car garage.

Q You had as I understand it them two bedrooms and a third bedroom made into a den, is that right?

A It was made into a den for George.

Q At the time of his death, did Captain Watson leave a will?

A Yes, he did.

Q Who is named as the executrix?

A I was.

Q Who was named as the beneficiary?

A I was the sole beneficiary.

Q Also at the time of his death, did you and Mr. Watson maintain any savings accounts or checking accounts?

A We had a small savings account and a checking account.

Q In whose name was the checking account and in

whose name was the checking account?

A They were both in both our names, joint accounts.

Q Do you recall, by chance, the name of the bank where you had the joint savings account?

A I believe it was Bankers Savings and Loan in Galveston.

Q And how about the checking account, do you recall that one?

A W.L. Moody and Company, Bankers.

Q Did you own a car?

A Yes, we had a car.

Q What kind of car did you have?

A We had a 98 Oldsmobile.

Q When had that been purchased?

A In December before he was lost.

Q That would be December of 1962?

A Yes.

Q Did you pay cash for the car or how did you handle that?

A No, we had a loan at the bank for the balance of the payments.

Q When you moved from the apartment to the house did you have enough furniture or did you have to buy additional furniture?

A We had to buy furniture.

Q Did you pay cash for all your furniture or did you handle some of that with a loan?

A We had charge accounts at the stores at which we bought it.

Q Before Captain Watson began sailing coastwise on the Marine Sulphur Queen, what kind of voyages did he make when he was on the other ships of Marine Transport Lines?

A He made foreign voyages.

Q Did he send you any money when he made foreign voyages?

A Yes, he made an allotment to me.

Q How frequently were those allotments made, monthly, semi-monthly, what were they?

A They were semi-monthly.

Q When he switched over to coastwise - continue to make allotments?

A No, sir.

MR. SCHWARTZ: I think we can agree when you make a coastwise sailing you don't have allotments.

MR. HUTTENBRAUCK: You are not permitted to have an allotment.

MR. SCHWARTZ: Yes.

MR. HUTTENBRAUCK: So stipulated.

Q When he was on the Marine Sulphur Queen, how would you receive money from him? What would the circumstances be?

A Well, the trip that they paid off he would go to the captain's quarters, unless he was relieving captain, and get his pay in cash, and then he would come down to his room and hand me most of it.

Q When he was on the Marine Sulphur Queen, did you meet the ship when it came into port on the southern end?

A Yes, I did.

Q Do you remember where she came into port on the southern end?

A In Beaumont, Texas.

Q And how would you get from your home in Galveston to Beaumont, Texas?

A I would drive over.

Q Do you remember approximately the time that the ship would be in in Beaumont?

A Well, generally overnight, from aft until the next aft.

Q Were you permitted on board the vessel?

A Yes, I was.

Q When you talk about being permitted aboard the vessel, I am asking also if you were permitted to sleep aboard the vessel?

A Yes, sir.

Q What would the occasions be you would sleep aboard the vessel rather than go off the vessel?

MR. HUTTENBRAUCK: I don't see any relevance to that.

THE COURT: Neither do I.

MR. HUTTENBRAUCK: They are married people, they wanted to be together as much as they possibly could, and that is completely understandable, but I don't see the relevance to a pecuniary loss.

MR. SCHWARTZ: If I may make a comment, becasue of a case I had many years ago in the Second Circuit where they said the nature of the relationship is relevant because if it is a real close relationship he gives her most of his money where as if it isn't a close relationship, he uses more of himself.

THE COURT: I know of a case exactly contrary. You also had an ace in the hole, and the ace in the hole is the poor wife who gives the wise guy all the money. Do you know that old song the Ace in the Hole? I guess the Second Circuit never heard of it.

MR. SCHWARTZ: It did change, as a matter of fact, it was an awful concept.

Q What would you do with the cash payments that you received from Mr. Watson?

A I would take them home and put it in the bank.

Q Would you put them -- when you say you put them in the bank, would you put them in the joint savings account or the joint checking account?

A A small amount in the savings account and the rest of it in the joint checking account, except what cash I would keep out.

Q Incidentally, at the time of Captain Watson's death, about how much did you have in the savings account?

A Only about $500.

Q And about how much did you have in the checking account?

A We generally tried to keep about $300 in the checking account.

Q Of the various payments that you had to make for your total overall living expenses, about what percentage of your living expenses would you make by check and what percentage would you make by cash?

A I would think about half by check and about half

by cash, the best I can remember.

Q Do you recall some years ago that you were asked to help us answer interrogatories that were propounded by the defendant in this case?

A Yes, I do.

Q What did you do actually, physically, to participate in the answers to these interrogatories?

A Well, I came to Mr. O'Connell's office and we were --

Q Where was that located?

A Here in New York City.

Q Mr. O'Connell was my partner at the time, is that right?

A Yes, he was.

Q What did you do?

A He asked different sorts of questions, general questions, and then he wanted me to make out a financial statement for I believe it was three years, and I did that after I went home.

MR. SCHWARTZ: If your Honor please, at this time I would like to have marked into evidence the answers to the interrogatories that were prepared in this case. I think upon reflection of the experience I had before in the other case this will probably be the

easiest way to get all the information before your Honor.

MR. HUTTENBRAUCK: I have no objection.

THE COURT: Received.

xxx (Plaintiff's Exhibit 13 received in evidence.)

Q I want to show you a chart attached to the back of the interrogatories that has as a lable 1960, 1971, 1962, and ask you who prepared those charts.

A I prepared them.

Q Is that your handwriting?

A It is my handwriting.

Q Where the reference to 13-C, 14-L, 14-M, do you know what those figures are, or what those numbers repre - sent?

A They were the numbers, if I remember correctly, of question in an interrogatory.

Q Just generally, how did you prepare these charts? What information did you go through?

A I kept a single entry ledger of all the checks that we wrote, and this is where the information came from.

MR. SCHWARTZ: May I have this marked as the next exhibit for identification.

xxx (Plaintiff's Exhibit 14 marked for identification.)

Q Mrs. Watson, I show you --

MR. HUTTENBRAUCK: Will you tell me what you are referring to so I can follow it.

(Discussion off the record)

Q I want to show you Plaintiff's Exhibit 14 for identification, and ask you what that is?

A That's Xerox copies from my ledger that I took the information from for the interrogatory.

MR. SCHWARTZ: I have previously supplied a copy of this to Mr. Huttenbrauck, and I would like to have this marked into evidence.

MR. HUTTENBRAUCK: No objection, your Honor. I have received a copy.

xx (Plaintiff's Exhibit 14 received in evidence.)

Q As I understand it then these represent the payments that you made with regard to those portions of your living expenses that you paid for by check.

A That's correct.

Q Do you recall giving your deposition, what we call the examination before trial in this case?

A Yes, I do.

Q About how long ago was it?

A It was last year.

Q Do you remember where it was?

A It was in Houston.

Q At that time, do you recall whether or not you were asked to prepare any additional documents with regard to your living expenses overall?

A Yes, I was asked to prepare a statement of estimated cash payment expenditures.

Q I want to show you some documents that were marked during that deposition as exhibits in the examination before trial, and ask you if you recognize these as being those documents.

A Yes, they are.

MR. SCHWARTZ: May I have these marked as an exhibit in evidence.

MR. HUTTENBRAUCK: No objection.

xxx

(Plaintiff's Exhibit 15 received in evidence.)

Q Looking at Plaintiff's Exhibit 15, what does this document contain in terms of your living expenses?

A The first part of it is the totals from the first financial statement I made out.

Q Referring to the attachment on Plaintiff's Exhibit 13?

A Yes.

Q Go on.

A That gives the total of this previous statement.

And from their total is my estimated expenditures in cash.

Q Incidentally, you know how much money your husband made each year?

A Yes, I did.

Q I want to show you Plaintiff's Exhibit 1 for identification, and ask whether or not you cognize these three documents which are individual income tax returns for 1963, 1962 and 1961?

A Yes, sir.

Q Did you sign these documents?

A Yes, I did.

Q So these are joint returns?

A Those are joint returns.

Q Who actually physically prepared these documents?

A I did.

Q In whose handwriting are these numbers?

A That is my handwriting.

MR. SCHWARTZ: I would like to have these marked into evidence for that purpose.

MR. HUTTENBRAUCK: No objection.

xxx (Plaintiff's Exhibit 1 received in evidence.)

Q I would like to talk with you about the expenses that Captain Watson used for himself. First, let me ask you about the normal cash pocket money that he would keep

for himself. About how much a month or how much a year would he keep in cash for his own person expenditures? And by that I mean things like cigarettes, liquor, meals, and things of that sort?

A About $50 a month.

Q Incidentally, did you ever visit him up on the northern end of the trip?

A Only once or twice.

Q Where was the northern end of the trips that you visited?

A The best I can remember it was in Carteret, New Jersey.

Q Did he have any family or anybody up there that he would see when he got up to Carteret, New Jersey?

A No, he didn't.

Q As a matter of fact, what family did he have?

A All he had was a brother and a sister.

Q Where did they live?

A They live in Galveston.

Q Did you always meet the ship when it came to Beaumont, or how frequently would you meet it?

A I met the ship in Beaumont just about every trip.

Q Did he ever call you from New Jersey when he was on the other end?

A He always called me from New Jersey.

Q Did he pay for that out of his pocket money?

A No, he didn't. He made it a collect call.

Q Of that $600 a year or $50 a month, what kind of money would he spend, what kind of expenses would he use that for other than say any personal expenses that I have described?

A You mean other than cigarettes and liquor and stuff like that.

Q And meals and things like that. Did he have any laundry expenses?

A No, he didn't have laundry expenses.

Q How come?

A Because I did it.

Q How about meals, and things of that sort?

A Occasionally I am sure he went out to eat up on the northern end in a restaurant or someplace.

Q How about clothes? Let's talk about uniforms. What kind of uniforms did they wear on this, one of the fancy blue things with braid or were they somewhat different?

A No, George wore khaki uniforms.

Q Do you know how many he bought a year?

A I would estimate ten or twelve pair.

Q How would you know?

A I was with him when he bought them.

Q Where would he buy these khakis?

A The khaki sets?

Q Yes.

A Generally at Sears and Roebuck.

Q Do you recall about what a set of khakis cost in those days?

A A set, shirt and pants, probably about $20.

Q How about shoes? Do you know anything about what he spent for shoes?

A His shoes were a little expensive. Generally around $22 to $25 a pair.

Q How would you know that?

A Because I was with him when he would buy them.

Q Where would he buy them?

A Well, there was one shoe store in Galveston that he [illegible] I don't remember the name.

Q What was the problem with his getting fitted?

A He had small feet.

Q About how many pairs of shoes would you say he would use a year on this tanker?

A I would imagine --

Q Or all together, let' me put it that way.

A You mean per year?

Q Yes. In other words, how often would he have to buy a pair of shoes?

A Work shoes maybe three paid a year. Dress shoes one or two.

Q Let's talk about his dress clothes. Did he have a particular place to buy his clothes, dress clothes?

A Yes. He used to like to get his clothes at Pyse in Galveston. They could fit him better than most places.

Q Would you go with him then, too?

A Yes, I would.

Q Did he go with you when you shopped?

A Yes, he did.

Q What kind of clothes would he buy?

A Mostly slacks and sports shirts, maybe one suit a year. Or every two years.

Q What would he spend for a suit?

A It generally cost him about $150 for a suit.

Q He liked nice clothes.

A Yes, he did.

Q Was he particular about his appearance?

A Yes, he was very neat.

Q Over the course of a year what would he spend

for dress clothes, slacks, shirts, things of that sort?

A It is hard to remember but probably would be around $250 or $300.

Q Did he have any hobbies?

A Yes, he liked to build model ships, he liked to fool around with carpenter work, and he was what we call a penny ante stamp collector.

Q Let's talk about the stamp collecting. Did you do any of that with him, incidentally?

A Yes, I did.

Q About how much money a year would you spend on stamps?

A $75, maybe a $100.

Q I gather you didn't collect rare stamps.

A No, sir.

Q Where would he get the material for his ship models?

A At various hobby shops.

Q In what town?

A Mostly in Galveston.

Q Any idea what they cost, approximately?

A I would have to guess at about $10 to $15.

Q During the period of time that Captain Watson was home, was there a lot of money spent entertaining

people, was he a very social person, or what?

A No, we didn't entertain very much. When he came home he liked to be home and would rather we be by ourselves than have a lot of people in.

Q How about vacations? Did you spend money on vacations together?

A Yes, we did.

Q About what portion of the actual time off that he got in terms of paid vacation would you stay home and what portion would you go traveling?

A Well, we traveled about maybe three or four weeks out of his vacation. The rest of the time we stayed home.

Q How would you do that? For example, what kind of trips would you make, and how would you go, by plane, by car, by what?

A Well, our trips were generally by car, and we would just decide one morning when we got up to take a trip, and we would just leave. One trip was to the Grand Canyon, in that area. Another trip we took to Florida, and then took a plane to Cuba.

Q When you talked about his doing carpentry work, did he spend any money on tools or having a workshop or what?

A Well, he had accumulated quite a few tools over the period of years so he had a nice workshop in the garage that he built for himself.

Q Did he build any furniture for the house?

A I have two bookcases that he made, and he made a couple of pieces of patio furniture.

Q Hopefully, the house was new enough so he didn't have to spend any time fixing the house?

A No, he didn't have to.

Q What was the state of George's health?

A George was very healthy. In good health.

Q During the entire time that you knew him did you come to learn any time that he was ever in the hospital?

A From the time I knew him, no, he was not in the hospital.

Q As far as you know, was he ever in the hospital?

A The only time that I know about was during the war when his ship was lost and I believe he was in the hospital in England.

Q What is the state of your health?

A Excellent, thank you.

Q Between 1963, when the ship disappeared, and today, have you been hospitalized?

A No, sir, I have not.

Q Have you been ill? Have you had any illness of any sort?

A I missed five days of work with the Asian flu.

Q Incidentally, by whom are you employed?

A U.S. Army Corps of Engineers.

Q Where?

A In the Galveston district, Galveston.

Q How long have you been so employed?

A A little over six and a half years.

Q Incidentally, at the present time do you pay any premiums annually for any kind of Welfare Plan coverage such as Blue Cross, Blue Shield, things of that sort?

A Yes, I have a government policy with Blue Shield and Blue Cross, and then I carry one on my own with Prudential Life Insurance.

Q What do you pay for the Prudential Life Insur ce?

A It is about $204 a year.

Q What does the government contribute and what do you contribute for the other?

A The government contributes part of it and I believe, I estimate, that is about $5 a month that I pay.

It comes out of my salary.

Q And the government matches it, is that the idea?

A I believe it is.

Q Were you aware of the fact that Captain Watson hoped to be assigned as a permanent master?

A Yes, I was.

Q As far as you know, did he ever make any money during his entire lifetime doing any work other than going to sea?

MR. HUTTENBRAUCK: How can she know, your Honor, of the time before she met him

THE COURT: Only if she knows of her own knowledge.

A Not of my own knowledge, I don't know that he did. I that he did.

Q When was the first time you met him?

A I met George in 1943 or '44.

Q That was during World War II?

A Yes.

Q Do you know when he first started going to sea?

A I believe it was when he was around 14 or 15 years old.

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Q Did he enjoy going to sea?

A Yes, he did.

Q As far as you were able to tell, was being the master of a ship important to him?

A Yes, it was very important to him. Going to sea was part of his life, it was -- he was like my father, he was sort of just -- that was it.

Q Have you come to know what the vacation, the amount of vacation a master would get today?

A I have heard that is five months.

Q If he were sailing today as a master and getting five months of vacation, would you be anxious for him to retire?

MR. HUTTENBRAUCK: Objection, your Honor.

THE COURT: Sustained.

MR. SCHWARTZ: I would like to say the problem with trying to introduce specific retirement intentions is difficult. Anything the deceased said is only hearsay. Insofar as this witness is concerned, however, her state of mind and her reasons for it are easily cross-examined.

THE COURT: You haven't laid a basis for it.

MR. HUTTENBRAUCK: Nor is that the question you asked.

Q Assuming that he would be able to get five months of vacation each year, and assuming that he would be sailing as master today, would you have any attitude or any feeling about whether you wanted him to retire or not?

MR. HUTTENBRAUCK: I think Mr. Schwartz should include in that the master's age so that --

THE COURT: It seems to me this is a matter of argument from both sides. The facts are in the record and you can argue from the facts. She couldn't have discussed this with him or formed any opinion as to how he felt since these facts didn't exist at the time he died. He didn't know he was going to get five months vacation in 1974, 1978 and 1980. How could she have discussed anything with him he didn't know anything about.

MR. SCHWARTZ: I am asking for her feelings.

THE COURT: It would be completely irrelevant. You can argue from the facts who would be stupid enough to retire if he can get five months vacation. The facts are in the record, and you can argue from that. Her saying so is not going to add anything to it as far as I am concerned.

Q Let me ask you the question this way: the fact that he would be away for periods of time, two or

three weeks at a time, was that something that was difficult for you to bear?

A No, it wasn't. I was brought up in that type of life. I was used to it.

MR. SCHWARTZ: I don't have anything else.

xxx CROSS-EXAMINATION

BY MR. HUTTENBRAUCK:

Q I have a few questions, Mrs. Watson.

Are you still living in the home that you and Mr. Watson occupied at or about the time the Queen went down?

A Yes, I am.

Q You have been working for the last six and a half years, right?

A Yes, sir.

Q Is that how you are maintaining yourself and your home?

A Yes, it is.

Q Do you have any other source of income?

A Yes, I have some interest, some dividends.

Q You mean dividends from stock?

A Yes.

Q Did you have that sotck when Mr. Watson was alive?

A We had part of it.

Q You did have some stock when he was alive?

A Yes, we did.

Q Did you purchase that stock after your marriage to him?

A No, his mother willed it to him.

Q Just so the record is clear, perhaps it is repetitive but I do want the record to be clear, you never had any children of your marriage to Mr. Watson?

A No children.

Q In your prior marriage which I understand you were divorced there were no children from that marriage, either?

A No children.

Q Was Mr. Watson married prior to his marriage to you?

A Yes, he was.

Q Were there any children as far as you know from that marriage?

A There were no children as far as I know.

THE COURT: Do you mind if I ask her a few questions in that area.

MR. HUTTENBRAUCK: Please do.

THE COURT: You talked about a brother and

a sister.

THE WITNESS: Yes.

THE COURT: How old are they?

THE WITNESS: His sister is about five months older than I am, she is about 60.

THE COURT: And how old is the brother?

THE WITNESS: He is deceased.

(Continued on Page 80.)

THE COURT: Did she ever get any sums of money from him? Did he ever support her in any way or give her any contribution that you are aware of?

THE WITNESS: No, he didn't.

THE COURT: So you represent the whole class of people that are entitled under this -- well, I am asking a legal question.

You are the only one that you are representing at this time; you don't represent anybody else except yourself?

THE WITNESS: No, just myself.

THE COURT: You are not aware of anybody else that had any pecuniary interest or any money interest from the deceased?

THE WITNESS: I know of no one.

THE COURT: All right.

MR. HUTTENBRAUCK:

Q Mrs. Watson, you were questioned by Mr. Schwartz as to how much money your husband would keep during the course of the month or so, and I think you said it was $50 a month; is that correct?

A That's right.

Q I notice in the breakdown of living expenses for 1962 there is no item --

THE COURT: Let her have that chart so she knows what you are talking about.

(Discussion off the record.)

Q I take it there is an item here clothes of $219.75. Is that your clothes or whose clothes would they be?

A It could have been a combination. It is a little hard to remember that far back but it was clothes, I am sure, that we bought like at the department stores and had a charge account, and then I'd pay it once a month. It could have been partly his and partly mine.

Q This was an amount you paid by check; is that right?

A Yes, that's correct.

Q Would you also buy clothes and pay cash?

A Yes, we did at times.

Q Let me ask you about the second item, medical: $173. Who was that for?

A That would be the insurance 0-- no, I don't think it was the insurance.

Q You have insurance on the first line.

A That must have been part of the expense of an operation that I had to have.

Q When did you have that operation?

A I believe it was in 1962. I had breast surgery.

Q You have an item here of $511.53 furniture payments. That was for furniture that you bought for your home?

A Yes.

Q And that was just as much Mr. Watson's as it was yours, wasn't it?

A It was both of ours.

Q You both enjoyed that?

A That's right.

Q And house payments of $2088.60, the same thing is true there,isn't it; that was just as much for Mr. Watson as for you?

MR. SCHWARTZ: I object to this. It is argumentative. We will stipulate to all this.

THE COURT: Yes, I think that can be made a matter of argument, although she has established that they were of mutual benefit, all of these items were of mutual benefit. Weren't they?

THE WITNESS: Yes.

MR. HUTTENBRAUCK: The record as I see it at the moment would indicate that --

THE COURT: No, what she said was she paid for it.

She didn't infer by that she was paying only for herself. It was a mutual payment for the benefit of both of them. She happened to be the treasurer, more or less, is that what it was?

THE WITNESS: While the ship was away.

THE COURT: Did he ask you for a bond?

THE WITNESS: No, but he did look over the books when he came home.

Q So many of the figures we have on this 1962 breakdown were both for Mr. Watson's benefit and for yours?

A Yes, sir.

Q Just so the record will be complete, Mrs. Watson, did you receive from the union the proceeds of the life insurance policy? I think the amount was $10,000.

A Yes, I did.

Q And did you also receive proceeds of another pdicy of $5000?

A That was with Aetna.

Q You got that?

A Yes.

Q I would just like to ask you, Mrs. Watson, there is an item here "Expense on Rent Property, $878.60."

What exactly was that?

A We had the house that he had purchased for his

his mother. After his mother died, he rented it to his sister, and we took care of all the repairs.

Q These were the reparis on that house?

A Yes, sir.

Q I suppose in the second column where you have "Income, money received, rent $600," that was from that house?

A Yes.

MR. SCHWARTZ: Per year.

MR. HUTTENBRAUCK: Yes.

MR. SCHWARTZ: That's a pretty good rent. Only for sisters.

MR. HUTTENBRAUCK: I have no further questions.

REDIRECT EXAMINATION

BY MR. SCHWARTZ:

Q I suppose we might say, too,even when it came down to George's clothes, and the fact he liked to look nice, that was partly for your benefit, too; you enjoyed that?

A Yes.

Q With regard to your working, had you worked at all during the eight or nine or ten years you were married to George?

A No, I did not.

Q His mother died before you were married; is that

right?

A Yes.

Q Also, with regard to the breast surgery, has that been any kind of problem at all medically? Have you had to continue treatment of any kind?

A No, it was a benign tumor. It was removed. I feel fine.

MR. SCHWARTZ: I have nothing else.

(Witness excused.)

THE COURT: As I understand it, that is the plaintiff's case.

MR. SCHWARTZ: I have this fellow Moran standing by.

MR. HUTTENBRAUCK: Who?

MR. SCHWARTZ: Moran, the fellow your man spoke to from Merrill Lynch. I told him if he was available on a twenty-minute phone call it was okay. I spoke to his counsel, too.

Rather than do anything about that this afternoon, maybe I will use him as rebuttal. Let me see now what the good doctor says when he knows Moran is available, and then if I want I can bring him in as rebuttal.

THE COURT: It seems to me it is six of one and half a dozen of the other. What I mean by that is he

TRANSCRIPT OF PROCEEDINGS, DECEMBER 20, 1973

(Excerpts)

ONLY COPY AVAILABLE

in evidence, your Honor.

MR. KLEIN: May I have a brief inquiry with respect to them?

THE COURT: Yes.

VOIR DIRE EXAMINATION

BY MR. KLEIN:

Q On Schneeberger, what wages did you use under your column of Unadjusted Expected Income for Period B?

A I took the last wage that was given in Period A, 1963 to 1973, and I increased that at a 5% rate of growth per year.

Q For Period A what wages did you use?

A I used the wages given in Exhibit 35, first engineer summary of wages.

Q So you did not take into account in that unadjusted income figure that Mr. Schneeberger would be sailing at least a portion of the year as a first assistant engineer?

A No, I assumed third assistant.

Q Solely third assistant?

A Yes.

MR. KLEIN: I object to the Exhibit on that basis, your Honor, in addition to the reasons that I objected to the exhibits in the Van Sickle case.

TRANSCRIPT OF PROCEEDINGS,
DECEMBER 21, 1973

(Excerpts)

ONLY COPY AVAILABLE

ga Watson, etc.
v.
ne Sulphur Transport Corp.

63 Civ. 486

New York, New York
December 21, 1973

(Trial continued.)

THE COURT: Are you ready to proceed?

MR. SCHWARTZ: As I recall your comments yesterday, Judge, with regard to Zdanowicz you indicated any of his testimony and any of the exhibits that he introduced in any of the cases yesterday could be used by any of the parties.

THE COURT: That is my understanding.

MR. HUTTENBRAUCK: That is my understanding.

MR. SCHWARTZ: That certainly simplifies everything as far as we are concerned.

We had only one additional item that we were supposed to submit. It was a table that Mr. Camisa was to draw for us, and we have that.

THE COURT: Three separate ones?

MR. SCHWARTZ: The present value of the future master's pension with a 4-1/2 per cent inflation factor.

THE COURT: I think I gave them a number.

MR. SCHWARTZ: Right. That was 10-B.

WATSON EXHIBIT 1

Income Tax Returns 1961, 1962, 1963

ONLY COPY AVAILABLE

Form 1040

U.S. Treasury Department
Internal Revenue Service

U.S. INDIVIDUAL INCOME TAX RETURN—1961

or taxable year beginning ..... 1961, ending ..... 19.....

69a

Your Social Security Number: 490 | 14 | 3083
Occupation: SEAMAN

Wife's Social Security Number: 449 | 72 | 8279
Occupation: HOUSEWIFE

PLEASE PRINT OR TYPE

First name and initial: George E & HALCA
Last name: NATSON
(If joint return of husband and wife use first names and middle initials of both)

Home address: 6609 GOLFCREST DRIVE
(Number and street or rural route)

GALVESTON (City, town, or post office) (Postal zone number) TEXAS (State)

Check One: ☐ Single; ☐ Unmarried "Head of Household"; ☐ Surviving widow or widower with dependent child; ☑ Married filing joint return; ☐ Married filing separate return—Name of wife (husband) .....

INCOME—(If joint return, include all income of both husband and wife)

	(a) Wages, etc.	(b) Federal income tax withheld
1. Wages, salaries, tips, etc., and excess of allowances over business expenses. Employer's name / Where employed (city and state)		
MARINE TRANSPORT LINES INC NEW YORK, NY	$ 12564 92	$ 2176 92
MASTER MATES & PILOTS THRIFT VACATION PLAN NYC	4498 18	772 30
FICA TAX		134 95
If either you or your wife worked for more than one employer, see page 4 of instructions		
2. Totals here →	17063 10	3084 17
3. "Sick pay" if included in line 1 (attach required statement)		
4. Subtract line 3 from total wages		17063 10
5. Dividends, interest, rents, royalties, pensions, etc. (Schedule B—if required by instructions page 5)		Loss — 329 22
6. Business income (Schedule C)		
7. Sale or exchange of property (Schedule D)		
8. Farm income (Schedule F)		
9. Total (add lines 4 through 8)		16733 88

FIGURE YOUR TAX BY USING EITHER 10 OR 11

10. Tax Table

If line 9 is less than $5,000 and you do not itemize deductions—

Copy total exemptions from page 2 here .....

Find your tax in table on page 10 of instructions.

Do not use lines 11 a, b, c, or d.

Enter tax on line 12.

11. Tax Rate Schedule

a. If you itemize deductions, enter total from page 2. If line 9 is $5,000 or more and you do not itemize, enter 10% of line 9 but not more than $1,000 ($500 if married and filing separate return).	2202 56
b. Subtract line 11a from line 9	14531 32
c. Copy total exemptions from page 2 here 2, multiply by $600	1200 00
d. Subtract line 11c from line 11b. Figure your tax on this amount by using tax rate schedule on page 9 of instructions and enter tax on line 12.	13331 32
12. Tax (from either tax table or tax rate schedule)	3119 40
13. Self-employment tax (Schedule C-3 or F-1)	
14. Total (add lines 12 and 13)	3119 40

PAYMENTS AND CREDITS

15. a. Tax withheld (line 2, col. (b) above). Attach Forms W-2	3084 17	
b. Payments and credits on 1961 Declaration of Estimated Tax		
c. Dividends received credit		
d. Retirement income credit		
e. Other credits (Specify—see page 5 of instructions)		
f. Total (add lines a, b, c, d and e)		3084 17
District Director's office where amount on line 15b was paid		

TAX DUE OR REFUND

16. If payments and credits (line 15f) are less than tax (line 14), enter Balance Due here → Pay in full with this return to "Internal Revenue Service."	# 35 23
17. If payments and credits (line 15f) are larger than tax (line 14), enter Overpayment here →	
18. Line 17 to be: (a) Credited on 1962 estimated tax $ ....., (b) Refunded $	

Under penalties of perjury that I have examined this return (including accompanying schedules and statements) and to the best of my knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his declaration is based on all information of which he has any knowledge.

Sign here ..... (Taxpayer's signature and date) (If joint return, BOTH HUSBAND AND WIFE MUST SIGN) (Wife's signature and date)

Sign here ..... (Signature of preparer other than taxpayer) ..... (Address) ..... (Date)

o60—16—76677-1

Attach Check or Money Order Here

FORM 1040—1961

SCHEDULE A.—EXEMPTIONS (See page 6 of instructions)

79a

Page 2

1 Exemptions for yourself—and wife (only if all her income is included in this return, or she had no income)

Check blocks which apply

(a) Regular $600 exemption ☑ Yourself ☑ Wife

(b) Additional $600 exemption if 65 or over at end of 1961 ☐ Yourself ☐ Wife

(c) Additional $600 exemption if blind at end of 1961 ☐ Yourself ☐ Wife

Enter number of exemptions checked → 2

2 Exemptions for your children and other dependents (list below)

• If an exemption is based on a multiple-support agreement of a group of persons, attach the declarations described on page 6 of instructions.

NAME Enter figure 1 in the last column to right for each name listed (Give address if different from yours)	Relationship	ANSWER ONLY FOR DEPENDENTS OTHER THAN YOUR CHILDREN: Months lived in your home. If born or died during year also write "B" or "D"	Did dependent have income of $600 or more?	Amount YOU furnished for dependent's support. If 100% write "ALL"	Amount furnished by OTHERS including dependent	
				$	$	→
						→
						→
						→
						→
						→
						→
						→

3. Total exemptions. (Enter here and on line 10 or 11c, page 1) →

ITEMIZED DEDUCTIONS—If you do not use tax table or standard deduction

If husband and wife (not legally separated) file separate returns and one itemizes deductions, the other must also itemize

Show to whom paid. If necessary, write more than one item on a line or attach additional sheets. Please put your name and address on any attachments

Contributions (If other than money, submit description of property and method of valuation)

T.B. ASSOCIATION	2.00	
FARLEYS BOYS TOWN	2.00	
FATHER FLANAGANS BOYS TOWN	2.00	
MARCH of DIMES	2.00	
Church	2.00	
Total paid (not to exceed 20% of line 9, page 1, except as described on page 7 of instructions)		$ 10 00

Interest

INT. ON MORTGAGE held by PRUDENTIAL INS. CO.	6609 GOLFCREST DR 111B.64 GALVESTON TEX	
Total interest		111 64

Taxes

Real estate taxes $484.88	State income taxes	
State and local sales taxes ~~$22.00~~	Other taxes (specify)	
POLL TAX $3.50		
GASOLINE TAX $30.60		
Total taxes		540 98

Medical and dental expense (Submit itemized list. Do not enter any expense compensated by insurance or otherwise)

NOTE: If you or your wife are 65 or over, or if either has a dependent parent 65 or over, see page 8 of instructions for possible larger deduction

1. Total cost of medicine and drugs	$	
2. Enter 1% of line 9, page 1		
3. Subtract line 2 from line 1		
4. Other medical and dental expenses (including hospital insurance premiums)		
5. Total (add lines 3 and 4)		
6. Enter 3% of line 9, page 1	$	
7. Subtract line 6 from line 5; see page 8 of instructions for maximum limitation		

Other deductions (See page 8 of instructions and attach required information)

M.M.+F. UNION DUES	$ 120.00	
CAR LICENCE PLATES	29.76	
EXPENSES NOT REPAID BY EMPLOYER	306.00	
BANKERS LIFE & CASUALTY - HOSPITALIZATION	68.18	
Total		547 94

TOTAL DEDUCTIONS (Enter here and on line 11a, page 1) $ 2202 56

EXPENSE ACCOUNT INFORMATION

Did you receive an expense allowance or reimbursement, or charge expenses to your employer? ☑ Yes ☐ No

If "Yes," did you submit itemized accounting of expenses to your employer? ☐ Yes ☑ No

See page 6 instructions.

U.S. GOVERNMENT PRINTING OFFICE 650 16 86077 1

SCHEDULE B (Form 1040)
U.S. Treasury Department
Internal Revenue Service

SUPPLEMENTAL SCHEDULE OF INCOME AND CREDITS

(From all sources other than wages, business, farming, and sale or exchange of property)

Attach this Schedule to your Individual Income Tax Return, Form 1040.

71a

1961

Name and address as shown on page 1 of Form 1040.

Part I.—DIVIDEND INCOME (Income from savings (building) and loan associations and credit unions should be entered as interest in Part II)

1. Name of qualifying corporation declaring dividend. (Indicate by (H), (W), (J) whether stock is held by husband, wife, or jointly)	Amount	
(H) DIANA STORES CORP	22.00	
(H) PRUDENTIAL INSURANCE CO. of AMERICA	51.80	
2. Total	73.80	
3. Exclusion of $50 (If both husband and wife received dividends, each is entitled to exclude not more than $50 of his (her) own dividends)	- 50 00	
4. Subtract line 3 from line 2. Enter here and on line 1, Part VII		
5. Name of nonqualifying corporation declaring dividend:		
6. Total (add lines 4 and 5)	23.80 →	23 80

Part II.—INTEREST INCOME (This includes interest credited to your account)

Name of payer	Amount	Name of payer	Amount	
GUARANTY FEDERAL SAVINGS & LOAN	113.39		113.39	
			Total →	113 39
				147 19

Part III.—PENSION AND ANNUITY INCOME

A.—Commercial Plans (If you did not contribute to the cost of the pension or annuity, enter the total amount received on line 6 and omit lines 1 through 5.)

1. Investment in contract		4. Amount received this year	$
2. Expected return		5. Amount excludable (line 4 multiplied by line 3)	
3. Percentage of income to be excluded (line 1 divided by line 2)	%	6. Taxable portion (excess of line 4 over line 5)	

B.—Where your employer has established part of the cost and your contributions will be recovered tax-free within 3 years. If your cost was fully recovered in prior years, enter the total amount received in line 5 and omit lines 1 through 4

1. Cost of annuity (amounts you paid)		4. Amount received this year	
2. Cost received tax-free in past years			
3. Remainder of cost (line 1 less line 2)		5. Taxable portion (excess, if any, of line 4 over line 3)	

Part IV.—RENT AND ROYALTY INCOME

1. Kind and location of property (Identify whether rent or royalty)	2. Total amount of rents or royalties	3. Depreciation (explain in Part VI) or depletion	4. Repairs (attach itemized list)	5. Other expenses (attach itemized list)	
VACANT RENT HOUSE	660.00	487.46	312.06	$134.79	TAXES
				126.62	STORM DAMAGE
				43.47	INT. ON FHA LOAN
				32.01	INSURANCE
1. Totals	660.00	487 46	312 06	336.89	
2. Net income (or loss) from rents and royalties (column 2 less sum of columns 3, 4, and 5)				LOSS -	476 41

Part V.—OTHER INCOME OR LOSSES

1. Partnerships (name, address, and nature of income)
2. Estates or trusts (name and address)
3. Other sources (state nature)

TOTAL INCOME (OR LOSS) FROM ABOVE SOURCES (Enter here and on line 5, page 1, of Form 1040) LOSS 329 22

680—16—7160U-1

1961

72a

Schedule B (Form 1040) 1961

Part VI.—EXPLANATION OF DEDUCTION FOR DEPRECIATION CLAIMED IN PART IV

1. Kind of property (if buildings, state material of which constructed) Exclude land and other nondepreciable property	2. Date acquired	3. Cost or other basis (exclude land)	4. Depreciation allowed (or allowable) in prior years	5. Method of computing depreciation	6. Rate (%) or life (years)	7. Depreciation for this year
RESIDENT RENT HOUSE	1946	7500.00	*2100.00	STRAIGHT	4%	300.00
FRAME HOUSE USED AS RESIDENCE UNTIL 12/1/61		157.89	89.56	STRAIGHT	10%	15.79
CYCLONE FENCE	1955					
ROOM ADDITION	1961	1716.65	NEW	STRAIGHT	10%	171.67
8. Total						487.46
Amount of additional first-year depreciation included above					171.67	

Part VII.—DIVIDENDS RECEIVED CREDIT

1. Amount of dividends on line 4, Part I
2. Tentative credit (4% of line 1)

LIMITATION ON CREDIT

3. Tax shown on line 12, page 1 of Form 1040, less amount, if any, of credit for foreign taxes
4. 4% of taxable income (see below)

Taxable Income Means
(a) If tax is computed, the amount shown on line 11d, page 1 of Form 1040.
(b) If Tax Table is used, the amount shown on line 9, page 1 of Form 1040, less 10% thereof, and less the deduction for exemptions ($600 multiplied by the number of exemptions claimed on line 3, Schedule A, page 2 of Form 1040).

5. Dividends received credit. Enter here and on line 15(c), page 1 of Form 1040, the smallest of the amounts on line 2, 3, or 4, above

Part VIII.—RETIREMENT INCOME CREDIT

This credit does not apply
1. If you received pensions or annuities of $1,200 or more from Social Security or Railroad Retirement
2. If you are under 65 years of age and had "earned income" of $2,100 or more, OR
3. If you are 65 or over and under 72 and had "earned income" of $2,400 or more

If separate return, use column B only. If joint return, use column A for wife and column B for husband →

	A	B
Did you receive earned income in excess of $600 in each of any 10 calendar years before the taxable year 1961? (Widows or widowers see instructions, page B–4)	☐ Yes ☐ No	☐ Yes ☐ No

If answer above is "Yes" in either column, furnish all information below in that column.

1. Retirement income for taxable year:
   (a) For taxpayers under 65 years of age:
   Enter only income received from pensions and annuities under public retirement systems and included in line 9, page 1, of Form 1040
   (b) For taxpayers 65 years of age or older:
   Enter total of pensions and annuities, interest, and dividends included in line 9, page 1 of Form 1040, and gross rents included in column 2, Part IV of this schedule

LIMITATION ON RETIREMENT INCOME

	A	B
2. Maximum amount of retirement income for credit computation	1,200 00	1,200 00
3. Deduct:		
(a) Amounts received in taxable year as pensions or annuities under the Social Security Act, the Railroad Retirement Acts, and certain other exclusions from gross income		
(b) Earned income received in taxable year (Does not apply to persons 72 years of age or over):		
(1) Taxpayers under 65 years of age, enter amount in excess of $900		
(2) Taxpayers 65 or over and under 72, enter amount in excess of $1,200		
4. Total of lines 3(a) and 3(b)		
5. Balance (line 2 minus line 4)		
6. Line 5 or line 1, whichever is smaller		
7. Tentative credit (20% of line 6)		

8. Total tentative credit (total of amounts on line 7, columns A and B)

LIMITATION ON RETIREMENT INCOME CREDIT

9. Amount of tax shown on line 12, page 1 of Form 1040
10. Less: Dividends received credit from line 5, Part VII above
11. Subtract line 10 from line 9
12. Retirement income credit. Enter here and on line 15(d), page 1 of Form 1040, the amount on line 8 or line 11, whichever is smaller

73a

FORM 1040

U.S. Treasury Department
Internal Revenue Service

U.S. INDIVIDUAL INCOME TAX RETURN—1962

For taxable year beginning 1962, ending 19

Your Social Security Number 229 14 3083

Occupation SEAMAN

Print or Type

First name and initial GEORGE E & HALGA

Last name WATSON

(If joint return of husband and wife, use first names and middle initials of both)

Wife's Social Security Number 449 [illegible]

Occupation

Home address 6609 GOLFCREST DRIVE

Number and street or rural route

GALVESTON

City, town or post office

(Postal zone number)

TEXAS

State

Check one: ☐ Single ☐ Unmarried Head of Household ☐ Surviving widow or widower with dependent child ☐ Married filing joint return (even if only one had income) ☐ Married filing separate return—If wife or husband also filing separately, give name

INCOME— If joint return, include all income of both husband and wife

	Employer's name / Where employed—city and state	(a) Wages, etc	(b) Federal income tax withheld
1. Wages, salaries, tips, etc., and excess of allowances over business expenses	MARINE TRANSPORT LINES INC, NY, NY	$13,819 86	$ 2480 19
	MASTER, MATES, PILOTS TANKER VACATION MAN NY	3417 91	614 46
	FICA OVER PAYMENT		106 81
If either you or your wife worked for more than one employer, see page 4 of instructions			
2. Totals		→ 17,235 77	3201 46
3. "Sick pay" if included in line 1 (attach required statement)			
4. Subtract line 3 from total wages			→ 17,235 77
5a Dividends (Schedule B)			
b Interest (Schedule B or other list)			145 61
c Rents, royalties, pensions, etc (Schedule B)	LOSS ON RENT PROPERTY (907 L)		218 30
6. Business income (Schedule C)			
7. Sale or exchange of property (Schedule D)			
8. Farm income (Schedule F)			
9. Total (add lines 4 through 8)			• 17.163 08

• Attach Copy B of Forms W-2 Here •

FIGURE YOUR TAX BY USING EITHER 10 OR 11

10. Tax Table

If line 9 is less than $5,000 and you do not itemize deductions—

Complete page 2 exemption schedule

Copy total exemptions here

Find your tax in table on page 10 of instructions

Do not use lines 11 a, b, c, or d

Enter tax on line 12

11. Tax Rate Schedule

a. If you itemize deductions, enter total from page 2. If line 9 is $5,000 or more and you do not itemize, enter 10% of line 9 but not more than $1,000 ($500 if married and filing separate return) — 2025 62

b. Subtract line 11a from line 9 — 15137 46

c. Copy total exemptions from page 2 here 2, multiply by $600 — 1200 00

d. Subtract line 11c from line 11b. Figure your tax on this amount by using tax rate schedule on page 9 of instructions and enter tax on line 12 • 13937 46

12. Tax (from either tax table or tax rate schedule)		• 3301 24
13. Self-employment tax (Schedule C-2 or F-1)		•
14. Total (add lines 12 and 13)		3301 24

PAYMENTS AND CREDITS

15a Tax withheld (line 2, col. (b) above) Attach Forms W-2	3201 46	
b Payments and credits on 1962 Declaration of Estimated Tax		
c Dividends received credit		
d Retirement income credit		
e Investment credit (Form 3468)		
f. Other credits (Specify—see page 5 of instructions)		
g Total (add lines a, b, c, d, e, and f)		→ 3201 46
District Director's office where amount on line 15b was paid		

TAX DUE OR REFUND

16. If payments and credits (line 15g) are less than tax (line 14), enter Balance Due here → 99 78
Pay in full with this return to "Internal Revenue Service." File with your District Director.

17. If payments and credits (line 15g) are larger than tax (line 14), enter Overpayment here →

18. Amount of line 17 you wish credited to 1963 Estimated Tax

19. Subtract line 18 from line 17. Apply this balance to ☐ U.S. Savings Bonds, or ☐ Refund

• Attach Check or Money Order Here •

★ List your exemptions and sign on other side

FORM 1040 - 1962

SCHEDULE A.—EXEMPTIONS (See page 6 of instructions)

74a Page 2

1 Exemptions for yourself—and wife (only if all her income is included in this return, or she had no income)

Check boxes which apply				Enter number of boxes checked
(a) Regular $600 exemption	☑ Yourself	☑ Wife		
(b) Additional $600 exemption if 65 or over at end of 1962	☐ Yourself	☐ Wife		
(c) Additional $600 exemption if blind at end of 1962	☐ Yourself	☐ Wife	→	2

2 Exemptions for your children and other dependents (list below)

• If an exemption is based on a multiple support agreement of a group of persons, attach the declarations described on page 6 of instructions

NAME (Enter figure 1 in the last column to right for each name listed. Give address if different from yours)	Relationship	ANSWER ONLY FOR DEPENDENTS OTHER THAN YOUR CHILDREN: Months lived in your home (If born or died during year also write B or D)	Did dependent have income of $600 or more?	Amount YOU furnished for dependent's support. If 100% write ALL	Amount furnished by OTHERS including dependent
				$	$

3. Total exemptions (lines 1 and 2 above). (Enter here and on line 10 or 11c, page 1) →

ITEMIZED DEDUCTIONS—If you do not use tax table or standard deduction

If husband and wife (not legally separated) file separate returns and one itemizes deductions, the other must also itemize

If necessary, write more than one item on a line or attach additional sheets. Put name, address and Social Security number on all attachments

Contributions (If other than money, submit description of property, including cost or other basis, date of acquisition and method of valuation)

FATHER FLANAGAN'S BOYS TOWN	$ 2.00
FARLEY'S BOY'S RANCH	2.00
T.B. ASSOCIATION	3.00
EPILEPSY FUND	1.00
ST. MARY'S AUXILIARY [illegible] & LIVE FOREVER	6.75
CHURCH	5.00
Total paid (not to exceed 50% of line 9, page 1, except as described on page 7 of instructions) →	$ 19.75

Interest expense

INTEREST ON MORTGAGE held by PRINCIPAL INS. CO. OF HARTFORD ON 3009 W. [illegible] GALVEY

Total interest → 1097.53

Taxes

Real estate taxes	$ 484.89	CIGARETTE TAX	58.40
State and local sales taxes	98.00	~~State unemployment taxes~~ CAR PLATES	23.76
GASOLINE	25.61	~~Other taxes (specify)~~ DRIVERS LICENSE	6.00
POLL TAX	3.50		

Total taxes → 670.16

Medical and dental expense (Submit itemized list. Do not enter any expense compensated by insurance or otherwise)

NOTE: If you or your wife are 65 or over, or if either has a dependent parent 65 or over, see page 8 of instructions for possible larger deduction

1. Total cost of medicine and drugs	$	
2. Enter 1% of line 9, page 1		
3. Subtract line 2 from line 1		
4 Other medical, dental expenses (Include hospital insurance premiums) •		
5. Total (add lines 3 and 4)		
6. Enter 3% of line 9, page 1 (see note above)	$	
7. Subtract line 6 from line 5; see page 8 of instructions for maximum limitation		

Other deductions (See page 8 of instructions)

MASTER MATES & PILOTS UNION DUES	$ 140.00	
5 Shrubs Due to 1962 FREEZE	30.00	
HOSPITALIZATION	68.18	
Total →		238.18

Total deductions (Enter here and on line 11a, page 1) → $ 2025.62

EXPENSE ACCOUNT INFORMATION

Did you receive an expense allowance or reimbursement, or charge expenses to your employer? ☐ Yes ☑ No | See page 4, instructions

If "Yes," did you submit itemized accounting of all such expenses to your employer? ☐ Yes ☐ No

Did you file a return last year? ☑ Yes ☐ No If name or address on last year's returns was different from this year, enter name and address used last year.

I declare under penalties of perjury that I have examined this return (including accompanying schedules and statements) and to the best of my knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his declaration is based on all information of which he has any knowledge.

Sign here (Taxpayer's signature and date) (If joint return, BOTH HUSBAND AND WIFE MUST SIGN) (Wife's signature and date)

Sign here (Signature of preparer other than taxpayer) (Address) (Date)

APO [illegible] 16—72132-1

SCHEDULE B (Form 1040)
U.S. Treasury Department
Internal Revenue Service

SUPPLEMENTAL SCHEDULE OF INCOME AND CREDITS

(From all sources other than wages, business, farming, and sale or exchange of property)

Attach this schedule to your income tax return. Form 1040)

1962

75a

Name and address as shown on page 1 of Form 1040 — Your Social Security Number

GEORGE E & HALGA WATSON 6662 So 1st WEST DRIVE SALTLY 090 14 3083

Part I.—DIVIDEND INCOME (Income from savings (building) and loan associations and credit unions should be entered as interest in Part II) 449 72 8279

Name of qualifying corporation declaring dividend: (Indicate by (H), (W), or (H&W) whether stock is held by husband, wife or jointly)	Amount
PRUDENTIAL INS. CO. OF AMERICA (H&W)	59 80
DIANA STORES CORP. (H&W)	17 32
Total	77 12
Exclusion of $50 (If both husband and wife received dividends, each is entitled to exclude not more than $50 of his (her) own dividends)	100 00
Subtract line 3 from line 2. Enter here and on line 1, Part VII	00 00
Name of nonqualifying corporation declaring dividend	
Total (add lines 4 and 5). Enter here and on line 5a, page 1, Form 1040	00 00

Part II.—INTEREST INCOME (This includes interest credited to your account)

Note: A separate attachment may be used if interest is the only income to be reported on this schedule

Name of payer (more than one entry may be made on a line)	Amount
PRUDENTIAL INS. CO. OF AMERICA	1 84
SECURITY FEDERAL SAVINGS & LOAN ASSOCIATION	143 67
Total—Enter here and on line 5b, page 1, Form 1040	145 61

Part III.—PENSION AND ANNUITY INCOME

General Rule (If you did not contribute to the cost of the pension or annuity, enter the total amount received on line 4 and omit lines 1 through 5.)

			Amount
Investment in contract		4. Amount received this year	
Expected return		5. Amount excludable (line 4 multiplied by line 3)	
Percentage of income to be excluded (line 1 divided by line 2)	%	6. Taxable portion (excess of line 4 over line 5)	

Special Rule—Where your employer has contributed part of the cost and your own contribution will be recovered tax-free within 3 years. Your cost was fully recovered in prior years, enter the total amount received in line 5 and omit lines 1 through 4.

Cost of annuity (amounts you paid)		4. Amount received this year	
Cost received tax-free in past years			
Remainder of cost (line 1 less line 2)		5. Taxable portion (excess, if any, of line 4 over line 3)	

Part IV.—RENT AND ROYALTY INCOME

1. Kind and location of property (Identify whether rent or royalty)	2. Total amount of rents or royalties	3. Depreciation (explain in Part VI) or depletion	4. Repairs (attach itemized list)	5. Other expenses (attach itemized list)	
RESIDENT RENT HOUSE	650.00	487.46	114.74	157.57	TAXES
REPAIRS PLUMBING 20.81				32.01	INS.
KITCHEN F1081 58.93				24.52	INT. ON MALONEY
REMOVAL REDRESS 35.00					
Totals	650.00	487.46	114.74	306.10	
Net income (or loss) from rents and royalties (column 2 less sum of columns 3, 4, and 5)				LOSS	218 30

Part V.—OTHER INCOME OR LOSSES

Partnerships (name, address, and nature of income)

Estates or trusts (name and address)

Other sources (state nature)

TOTAL INCOME (or loss) from Parts III, IV, and V (Enter here and on line 5c, page 1, of Form 1040) LOSS 218 30

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14 2-

76a

Schedule B (Form 1040) 1962

Part VI.—EXPLANATION OF DEDUCTION FOR DEPRECIATION CLAIMED IN PART IV—This schedule is designed for taxpayers using the new guideline lives and administrative procedure described in Revenue Procedure 62-21 as well as for those taxpayers who wish to continue using previously authorized procedures. Where double headings appear use the first heading for the new procedure and the second heading for the older procedure.

1. Group and guideline class OR Description of property	2. Cost or other basis at beginning of year OR Cost or other basis	3. Asset additions in year (amount) OR Date acquired	4. Asset retirements in year (amount) (applicable only to Rev. Proc. 62-21)	5. Depreciation allowed or allowable in prior years	6. Method of computing depreciation	7. Class life OR Rate (%) or life	8. Depreciation for this year
RESIDENT REAL HOUSE	12500.00	1942		2400.00	SYR.	4%	300.00
HOME DEVELOPMENT							
STORM FENCE	253.87	1955		101.55	"	10%	15.79
ROOM ADDITION	1716.65	1961		171.67		10%	171.67
Total cost or other basis							

1. Total depreciation 487.46
2. Amount of additional first-year depreciation included above . . . . .
3. Cost or other basis of fully depreciated assets still in use . . . . .

Part VII.—DIVIDENDS RECEIVED CREDIT

1. Amount of dividends on line 4, Part I . . . . .
2. Tentative credit (4% of line 1) . . . . .
3. Tax shown on line 12, page 1 of Form 1040, less amount, if any, of credit for foreign taxes . . . . .
4. 4% of taxable income (see below) . . . . .

Taxable Income Means
(a) If tax is computed, the amount shown on line 11d, page 1 of Form 1040
(b) If Tax Table is used, the amount shown on line 9, page 1 of Form 1040, less 10% thereof, and less the deduction for exemptions ($600 multiplied by the number of exemptions claimed on line 3, Schedule A, page 2 of Form 1040)

5. Credit. Enter here and on line 15(c), Form 1040, the smallest of the amounts on line 2, 3, or 4, above . . . . .

Part VIII.—RETIREMENT INCOME CREDIT

If separate return, use column B only. If joint return, use column A for wife and column B for husband →

	A	B
Did you receive earned income in excess of $600 in each of any 10 calendar years before the taxable year 1962? (Widows or widowers see instructions, page B-4)	☐ Yes ☐ No	☐ Yes ☐ No
If answer above is "Yes" in either column, furnish all information below in that column.		
1. Retirement income for taxable year:		
(a) For taxpayers under 65 years of age: Enter only income received from pensions and annuities under public retirement systems (e.g. Fed., State Govts., etc.) and included in line 9, page 1, of Form 1040 •		
(b) For taxpayers 65 years of age or older: Enter total of pensions and annuities, interest, and dividends included in line 9, page 1 of Form 1040, and gross rents included in column 2, Part IV of this schedule •		
2. Maximum amount of retirement income for credit computation	1,524 00	1,524 00
3. Deduct:		
(a) Amounts received in taxable year as pensions or annuities under the Social Security Act, the Railroad Retirement Acts, and certain other exclusions from gross income •		
(b) Earned income received in taxable year (Does not apply to persons 72 years of age or over)		
(1) Taxpayers under 62 years of age, enter amount in excess of $900 •		
(2) Taxpayers 62 or over but under 72, enter amount determined as follows: if $1,200 or less, enter zero; if over $1,200 but not over $1,700, enter ½ of amount over $1,200, or; if over $1,700, enter excess over $1,450 •		
4. Total of lines 3(a) and 3(b)		
5. Balance (line 2 minus line 4)		
6. Line 5 or line 1, whichever is smaller		
7. Tentative credit (20% of line 6)		
8. Total tentative credit (total of amounts on line 7, columns A and B)		

LIMITATION ON RETIREMENT INCOME CREDIT

9. Amount of tax shown on line 12, page 1 of Form 1040 . . . . .
10. Less: Total of any amounts shown on lines 15(c) and 15(f), page 1, Form 1040 . . . . .
11. Subtract line 10 from line 9 . . . . .
12. Credit. Enter here and on line 15(d), Form 1040, the amount on line 8 or line 11, whichever is smaller . . . . .

U.S. GOVERNMENT PRINTING OFFICE 16—72167-1

77a

1040 U.S. INDIVIDUAL INCOME TAX RETURN—1963

U.S. Treasury Department
Internal Revenue Service

or taxable year beginning 1963 ending 19

Print or Type

First name and initial: George E. [illegible]
Last name: [illegible]
If joint return of husband and wife, use first names and middle initials of both

Home address: [illegible]
Number and street or rural route

City, town or post office, and State

Postal ZIP code

Your social security number: 219 14 3083
Occupation: Deceased

Wife's number if joint return: 219 [illegible]
Occupation: [illegible]

Did you file a return for 1962? ✓ Yes ☐ No If name or address was different than shown above, enter name and address used.

Check one: Single | Married filing joint return (even if only one had income) | Unmarried Head of Household | Surviving widow(er) with ~~dependent child~~

~~Married filing separately~~ Give name of wife or husband only if also filing separately

If joint return, include all income of both husband and wife.

INCOME

If either you or your wife worked for more than one employer see page 4 of instructions.

	Employer's name / Where employed (city and state)	(a) Federal income tax withheld	(b) Wages, etc.
1.	[illegible]	$ 30 90	$ 866 33
	[illegible]		173 28
2.	Totals →	30 90	1039 61
3.	"Sick pay" if included in line 1 (attach required statement)		
4.	Subtract line 3 from line 2		
5a.	Dividends (Schedule B)		
b.	Interest (Schedule B or list of payers and amounts)		86 25
c.	Rents, royalties, pensions, etc. (Schedule B) LOSS ON RENT PROPERTY (907 AVE L)		924 85 / 118 04
6a.	Business income (Schedule C)		
b.	Sale or exchange of property (Schedule D)		
c.	Farm income (Schedule F)		
7.	Total (add lines 4 through 6c)		2050 71
8.	Payments by self-employed persons to retirement plans, etc. (attach Form 2950 SE)		
9.	Total income (subtract line 8 from line 7)		

10. Tax Table — ← **FIGURE YOUR TAX BY USING EITHER 10 OR 11** → 11 Tax Rate Schedule

If line 9 is less than $5,000 and you do not itemize deductions: Complete page 2 exemption schedule

Copy total exemptions here ... Find your tax in table on page 10 of instructions. Do not use lines 11a, b, c, or d. Enter tax on line 12.

a. If you itemize deductions, enter total from page 2. If line 9 is $5,000 or more and you do not itemize, enter 10% of line 9 but not more than $1,000 ($500 if married filing separate return) — [illegible]
b. Subtract line 11a from line 9 — [illegible] 256
c. Copy total exemptions from page 2 here 2, multiply by $600 — 1200
d. Subtract line 11c from line 11b. (Figure your tax on this amount by using tax rate schedule on page 9 of instructions and enter tax on line 12) — [illegible]

TAX—CREDITS—PAYMENTS

12.	Tax (from either tax table or tax rate schedule)	
13a.	Dividends received credit	NONE
b.	Retirement income credit	
c.	Investment credit (Form 3468)	
d.	Other credits (Specify—see page 5 of instructions)	
e.	Total (add lines 13a, b, c, and d)	
14.	Balance (subtract line 13e from line 12)	
15.	Tax from recomputing prior year investment credit (attach statement)	
16.	Total (add lines 14 and 15)	
17.	Self-employment tax (Schedule C-3 or F-1)	
18.	Total tax (add lines 16 and 17)	
19a.	Tax withheld (line 2, column (a) above)	
b.	1963 Estimated tax payments and credits	
c.	Total (add lines 19a and b) (Office where paid)	

TAX DUE OR REFUND

20.	If payments (line 19c) are less than tax (line 18), enter Balance Due. Pay in full with this return. →	
21.	If payments (line 19c) are larger than tax (line 18), enter Overpayment →	
22.	Amount of line 21 you wish credited to 1964 Estimated Tax	30 90
23.	Subtract line 22 from 21. Apply to: U.S. Savings Bonds, with excess refunded, or ✓ Refund only	30 90

★ LIST YOUR EXEMPTIONS AND SIGN ON OTHER SIDE

• Attach Copy B of Forms W-2 Here •

• Attach Check or Money Order Here •

Wabers Plaintiff's Exhibit 1

FORM 1040—1963

SCHEDULE A.—EXEMPTIONS (See page 6 of instructions)

78a Page 2

1. Exemptions for yourself—and wife (only if all her income is included in this return, or she had no income)

Check boxes which apply				Enter number of boxes checked
	(a) Regular $600 exemption	☒ Yourself	☒ Wife	→ 2
	(b) Additional $600 exemption if 65 or over at end of 1963	☐ Yourself	☐ Wife	
	(c) Additional $600 exemption if blind at end of 1963	☐ Yourself	☐ Wife	

2. Exemptions for your children and other dependents (list below)

• If an exemption is based on a multiple-support agreement of a group of persons, attach the declarations described on page 6 of instructions.

NAME Enter figure 1 in the last column to right for each name listed (Give address if different from yours)	Relationship	ANSWER ONLY FOR DEPENDENTS OTHER THAN YOUR CHILDREN: Months lived in your home. If born or died during year also write "B" or "D"	Did dependent have income of $600 or more?	Amount YOU furnished for dependent's support. If 100% write ALL	Amount furnished by OTHERS including dependent
				$	$

3. Total exemptions (lines 1 and 2 above). (Enter here and on line 10 or 11c, page 1) → 2

ITEMIZED DEDUCTIONS—If you do not use tax table or standard deduction

If husband and wife (not legally separated) file separate returns and one itemizes deductions, the other must also itemize.
If necessary, write more than one item on a line or attach additional sheets. Put name and address on all attachments.

Contributions (If other than money, attach required statement—see instructions)

FATHER FINNEGANS BOYS TOWN	2.00
FARLEYS BOYS RANCH	2.00
T.B. ASSOCIATION	2.00
CRIPPLED CHILDREN	2.00
HUGHES SCHOOL FOR CRIPPLED CHILDREN	10.00
ST MARY AUXILIARY	5.00
CHURCH	2.00
Total (not to exceed 20% of line 9, page 1, except as described on page 7 of instructions) →	$ 30.00

Interest expense

Home mortgage 6609 Golfcrest Dr. PRUDENTIAL INS. CO. OF AMERICA	1081.18
Other interest expense (specify) INT ON CAR LOAN W.H. Moody & Co. BANKERS	17.28
Total interest →	1098.46

Taxes

Real estate taxes	482.66	State income taxes (ALIMONY TAX)	27.00
State and local sales taxes	9.00	Other taxes (specify) CAR PLATES	23.76
GASOLINE	79.54		
POLL TAX	3.50		
Total taxes →			625.46

Medical and dental expense (Attach itemized list. Do not enter any expense compensated by insurance or otherwise)

NOTE: If you or your wife are 65 or over, or if either has a dependent parent 65 or over, see page 8 of instructions for possible larger deduction

1. Total cost of medicine and drugs	$
2. Enter 1% of line 9, page 1	
3. Subtract line 2 from line 1	
4. Other medical, dental expenses (Include hospital insurance premiums)	
5. Total (add lines 3 and 4)	
6. Enter 3% of line 9, page 1 (see note above)	$
7. Subtract line 6 from line 5; see page 8 of instructions for maximum limitation	

Other deductions (See page 8 of instructions)

MASTER MATES PILOTS UNION DUES	40.00
Total other deductions →	40.00

Total itemized deductions (Enter here and on line 11a, page 1) → $ 1793.92

EXPENSE ACCOUNT INFORMATION

Did you receive an expense allowance or reimbursement, or charge expenses to your employer? ☐ Yes ☐ No
If "Yes," did you submit itemized accounting of all such expenses to your employer? ☐ Yes ☐ No
See page 4, instructions.

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete. If prepared by a person other than taxpayer, his declaration is based on all information of which he has any knowledge.

Sign here ... George E. Watson (Deceased) ... Helga Watson
by Taxpayer's signature and date — If joint return, BOTH HUSBAND AND WIFE MUST SIGN — Wife's signature and date

Sign here ... Helga Watson ... 6609 Golfcrest Dr
Signature of preparer other than taxpayer — Address — Date

Galveston, Tex
77552

GPO 636—16—77676-1

SCHEDULE B (Form 1040)
U.S. Treasury Department
Internal Revenue Service

SUPPLEMENTAL SCHEDULE OF INCOME AND CREDITS

(From all sources other than wages, business, farming, and sale or exchange of property)

Attach this schedule to your income tax return. Form 1040

~~79a~~ 1963

Name and address as shown on page 1 of Form 1040

Part I.—DIVIDEND INCOME (Income from savings (building) and loan associations and credit unions should be entered as interest in Part II)

1. Name of qualifying corporation declaring dividend (more than one entry may be made on a line) (Indicate by (H), (W), (J) whether stock is held by husband, wife, or jointly)		AMOUNT
DIANA STORES CORP	(H)(W)	8 26
MERRILL LYNCH, PIERCE, FENNER + SMITH INC	(H)(W)	178.00
2. Total		186 26
3. Exclusion of $50 (If both husband and wife received dividends, each is entitled to exclude not more than $50 of his (her) own dividends)		100 00
4. Subtract line 3 from line 2. Enter here and on line 1, Part VII		86 26
5. Name of nonqualifying corporation declaring dividend: Controlled foreign corporations (attach Form 3646)		
6. Total (add lines 4 and 5). Enter here and on line 5a, page 1, Form 1040		86 25

Part II.—INTEREST INCOME (This includes interest credited to your account)

Note. A separate attachment may be used if interest is the only income to be reported on this schedule

1. Name of payer (more than one entry may be made on a line)	AMOUNT
W. L. MOODY + CO BANKERS	145.83
BANKERS SAVINGS + LOAN	214.16
U.S. NATIONAL BANK	125.10
GUARANTY Federal SAVINGS + LOAN	359.86
2. Total—Enter here and on line 5b, page 1, Form 1040	424 85

Part III.—PENSION AND ANNUITY INCOME

A.—General Rule (If you did not contribute to the cost of the pension or annuity, enter the total amount received on line 6 and omit lines 1 through 5.)

			AMOUNT
1. Investment in contract		4. Amount received this year	
2. Expected return		5. Amount excludable (line 4 multiplied by line 3)	
3. Percentage of income to be excluded (line 1 divided by line 2)	%	6. Taxable portion (excess of line 4 over line 5)	

B.—Special Rule—Where your employer has contributed part of the cost and your own contribution will be recovered tax-free within 3 years. If your cost was fully recovered in prior years, enter the total amount received on line 5 and omit lines 1 through 4

1. Cost of annuity (amounts you paid)		4. Amount received this year	
2. Cost received tax-free in past years			
3. Remainder of cost (line 1 less line 2)		5. Taxable portion (excess, if any, of line 4 over line 3)	

Part IV.—RENT AND ROYALTY INCOME

1. Kind and location of property (Identify whether rent or royalty)	2. Total amount of rents or royalties	3. Depreciation (explain in Part VI) or depletion	4. Repairs (attach itemized list)	5. Other expenses (attach itemized list)	
RESIDENT RENT HOUSE	585.00	487.46		158.73	TAXES
				32.01	INS.
				24.84	INT. ON F.H.A. LOAN
1. Totals	585.00	487.46		215.58	
2. Net income (or loss) from rents and royalties (column 2 less sum of columns 3, 4, and 5)				LOSS	118 04

Part V.—OTHER INCOME OR LOSSES

	AMOUNT
1. Partnerships (name, address, and nature of income)	
2. Estates or trusts (name and address)	
3. Other sources (state nature)	
Total of Parts III, IV, and V (Enter here and on line 5c, page 1, of Form 1040)	

650—16—77743-1

art VI.—EXPLANATION OF DEDUCTION FOR DEPRECIATION CLAIMED IN PART IV—This schedule is designed for taxpayers using the lternative guidelines and administrative procedures described in Revenue Procedure 62-21 as well as for those taxpayers who wish to continue using proce-ures authorized prior to the revenue procedure. Where double headings appear use the first heading for the new procedure and the second heading for e older procedure.

1. Group and guideline class OR Description of property	2. Cost or other basis at beginning of year OR Cost or other basis	3. Asset additions in year (amount) OR Date acquired	4. Asset retirements in year (amount) (applicable only to Rev. Proc. 62-21)	5. Depreciation allowed or allowable in prior years	6. Method of computing depreciation	7. Class life OR Rate (%) or life	8. Depreciation for this year
RESIDENT RENT HOUSE	7500.00	1946		2700.00	STR	4%	300.00
MC-RESIDENT 1952							
SION FENCE	157.89	1955		121.14	STR	12½	15.77
AM ADDITION	1716.65	1961		343.34	STR	22a	171.66
Total cost or other basis							487.43
Total depreciation							
Amount of additional first-year depreciation included above							
Cost or other basis of fully depreciated assets still in use							

art VII.—DIVIDENDS RECEIVED CREDIT

Amount of dividends on line 4, Part I	
Tentative credit (4% of line 1)	
Tax shown on line 12, page 1 of Form 1040, less amount, if any, of credit for foreign taxes	
4% of taxable income (see below)	
Taxable Income Means (a) If tax is computed, the amount shown on line 11d, page 1 of Form 1040. (b) If Tax Table is used, the amount shown on line 9, page 1 of Form 1040, less 10% thereof, and less the deduction for exemptions ($600 multiplied by the number of exemptions claimed on line 3, Schedule A, page 2 of Form 1040)	
Credit. Enter here and on line 13(a), Form 1040, the smallest of the amounts on line 2, 3, or 4, above	

art VIII.—RETIREMENT INCOME CREDIT

ils credit es not apply — 1. If you received pensions or annuities of $1,524 or more from Social Security or Railroad Retirement; 2. If you are under 62 years of age and had "earned income" of $2,424 or more; OR 3. If you are 62 or over and under 72, and had "earned income" of $2,874 or more.

eparate return, use column B only. If joint return, use column A for wife and column B for husband.

	A	B
you receive earned income in excess of $600 in each of any 10 calendar years before the taxable year 1963? (Widows or widowers see instructions, page B-4)	☐ Yes ☐ No	☐ Yes ☐ No
nswer above is "Yes" in either column, furnish all information below in that column.		
Retirement income for taxable year:		
(a) For taxpayers under 65 years of age: Enter only income received from pensions and annuities under public retirement systems (e.g. Fed., State Govts., etc.) and included in line 9, page 1, of Form 1040		
(b) For taxpayers 65 years of age or older: Enter total of pensions and annuities, interest, and dividends included in line 9, page 1 of Form 1040, and gross rents included in column 2, Part IV of this schedule		
Maximum amount of retirement income for credit computation	1,524 00	1,524 00
Deduct:		
(a) Amounts received in taxable year as pensions or annuities under the Social Security Act, the Railroad Retirement Acts, and certain other exclusions from gross income		
(b) Earned income received in taxable year (Does not apply to persons 72 years of age or over):		
(1) Taxpayers under 62 years of age, enter amount in excess of $900		
(2) Taxpayers 62 or over but under 72, enter amount determined as follows: if $1,200 or less, enter zero; if over $1,200 but not over $1,700, enter ½ of amount over $1,200; or if over $1,700, enter excess over $1,450		
Total of lines 3(a) and 3(b)		
Balance (line 2 minus line 4)		
Line 5 or line 1, whichever is smaller		
Tentative credit (20% of line 6)		
Total tentative credit (total of amounts on line 7, columns A and B)		

LIMITATION ON RETIREMENT INCOME CREDIT

Amount of tax shown on line 12, page 1 of Form 1040	
Less: Total of any amounts shown on lines 13(a) and 13(d), page 1, Form 1040	
Subtract line 10 from line 9	
Credit. Enter here and on line 13(b), Form 1040, the amount on line 8 or line 11, whichever is smaller	

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WATSON EXHIBIT 2

Testimony of Dr. Orhati (Excerpts)

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OSCAR ORNATI, called as a witness by the plaintiffs, being first duly sworn, testified as follows: 81a

DIRECT EXAMINATION

BY MR. KLEIN:

Q Dr. Ornati, what is your profession?

A I am an economist and I am professor of economics at the Graduate School of Business Administration at New York University.

Q How long have you been a professor of economics?

A I have had the title of professor since 1959 and I have taught at New York University since 1966.

Q How long have you been teaching economics as your primary occupation?

A I have been employed as a teacher by various universities since 1949 and on a full-time basis since 1952.

Q What degrees do you have?

A I have obtained a Bachelor from the Hobart College in Geneva, New York, and a Doctor of Economics from Harvard University in 1955.

Q Dr. Ornati, what has been your experience and background with respect to the subject of inflation?

A My field of specialization is labor economics.

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Under that heading I have studied and taught about the movement of wages, about the movement of prices, about the differences among various occupations of various industries and throughout in all these situations, namely, ever since 1952, I have in one way or another been concerned with the issue of inflation, as well as issues of unemployment, employment, and so on. But inflation is a very central part of the analysis of the well-being of the workers and of their wages, and so on.

MR. KLEIN: Do you want to conduct a voir dire at this time?

MR. HUTTENBRAUK: Not at this time. You can go ahead.

Q Dr. Ornati, can you describe for us in words that I can understand just what is meant by inflation?

A Yes, I can. In one sense, it is so well known and so general that it seems to me that your question is almost obvious, but I think a proper definition of the word"inflation"would be the movement of prices, not of any one price, but of the average of prices in our country, and by the word "inflation" we indicate how, year after year, prices of most goods and most services have tended to rise.

Q This tendency of prices to rise, has this been

so I object to the question.

THE COURT: I think that the question is bad as to form because you have asked him a categorical question and not an opinion question.

I sustain the objection.

Q Dr. Ornati, have you an opinion as to whether or not the conditions which you have described as existing today are likely to continue?

A Yes, I do.

Q What is your opinion?

A My opinion is that the future is determined by those things that we recognize as being available and known in the present. Economists continually calculate the movement of prices of wages, continually watch the birth rate, continually watch the changes in a variety of economic indicators.

They, therefore, have well-documented, non-personal analyses that permit them to state whether certain variables are going to continue the same way or not, so I do have very definite opinions about it.

Q What are your opinions as to the continuation of these factors in the future?

A It is my judgment the future will see an increase of the effect on prices of all these factors. It is my

judgment that international trade, or the relationship between the United States and the rest of the world will continue to be as active as it now is, and more so.

It is my judgment that population growth all over the world will continue.

It is my judgment that the shortage of resources, energy, mineral, mining resources, is already established as being the characteristic of the future and, therefore, it is my opinion -- it is my definite and certain opinion that prices will continue to rise in the future.

Q Now, aside from your own personal opinion, Dr. Ornati, are there any generally accepted views of members of your profession as to the rate at which prices are likely to rise in the future?

MR. HUTTENBRAUK: Objection, your Honor. That is strictly hearsay.

THE COURT: I will take yes or no, and from that point on, you will have to develop the factual basis for them, if he says yes.

THE WITNESS: May I have that question again?

(Record read.)

A Yes.

Q Would you summarize those views for us, please?

MR. HUTTENBRAUK: I object to that, your Honor.

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He is going to testify what he has read or what another economist has told him.

THE COURT: The nature of the answer will have to be such that Mr. Huttenbrauk will have an opportunity to cross-examine on these points. To simply say that the general feeling is such, if he cites Bradstreet & Dun or he cites somebody else or he cites some authority, then he has an opportunity to cross-examine him.

If he answers in that fashion, I will allow the answer to stand. Otherwise, I will strike it.

A The U.S. Government, particularly the Council of Economic Advisors, is required by law to make each year a set of statements as to the future of the economy of the United States. The United States Department of Labor is required by law to prepare a yearly manpower report. In this manpower report, statements about prices, wages, the availability of manpower by industry groups, by occupation, is specifically stated for specific dates up to 1985.

The University of Pennsylvania in an institute directed by Professor Klein has developed a computer program in which data about current situations and past situations as far as prices, population, resources, are put in and through the use of rather well tested

86a

econometric modules projections are produced by this (157)
University as far as prices, wages, and a variety of other economic indicators.

The majority of the companies, particularly large companies in American industry, have reasonably well-developed economic departments that study the movement of wages and prices of their industry and they project forward the availabilities of goods, the demands for goods and services and products and the prices of these products in the future.

It is to that kind of data that I had reference and it is that kind of data that I am familiar with.

Q What, then, basing it on that kind of data, what are the projections or the rates at which prices are expected to continue among members of your profession?

A The lowest, most conservative estimate about price for the period from 1973 to 1985 is at 4.2 per cent per year.

In addition to this lowest estimate, the estimates that I have seen and the estimates that I have -- whose analysis I have personally looked into tend to be at around .4 or .5 per year.

I must note, if I may, your Honor, that this forecast is a forecast for a long term or a period of

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at least ten years, and it is significantly lower than the rate of price increase over the last three or four years.

The most recent year, that is, from October '72 to October of '73 saw a price increase of 7.8 per cent. Thus, both the 4.2, which is the lowest that I have identified, and the 4.5 that most economists tend to discuss, are what I would label in my judgment conservative estimates.

Q Dr. Ornati, do you have an opinion yourself, apart from what your brethren have, as to the rate?

A Yes, I do.

Q What is your opinion?

A 4.5 per cent on the average, year after year, for the period from 1974 through 1995.

Q At the risk of being repetitive, what are the factors in our society and in the world society that make such an increase likely to continue?

A The most important factor that makes this increase likely to continue is the increase in population throughout the world. I want to underline "throughout the world," Mr. Klein, because we are aware in the United States its population increases are somewhat stabilized, but it is throughout the world that it is important,

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because here the population growth will be very large. This is not a looking into the future, this is simply taking available statistics and projecting them forward. Most of the people that would be living in the future are already born and we know in detail birth rates about most of the world.

Thus, my first reason for expecting increases in prices is the increased demand for goods and services of an increased population throughout the world.

The second is what usually is called, your Honor, the rising expectation of people. More and more people in the United States, as well as in the rest of the world, now see through advertising, learn of the availability of certain products, and they are asking for them, and these factors, which we call demand factors, greatly exceed the current capacity to produce and greatly exceed our judgments about available resources, be these energy, be these mining, whatever.

Also, a part of the -- a necessary part of the analysis is the fact that we can only recognize that the United States trade with the rest of the world is an increasing one, and more and more in the future the prices in the United States will be related to the prices of the rest of the world, and we have seen that traditionally the

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prices outside the United States have tended to rise faster and I expect that now the United States will be more in line with the rest of the world.

Q When you say that the prices in the rest of the world tended to rise faster, what are you comparing it with?

A Faster relative to the rate at which prices have risen in the United States.

Q Dr. Ornati, we have been talking thus far about inflation and increases in prices. What has been the situation over the last twenty-five years with respect to increases in wages generally throughout our economy?

A The statistics that we have about prices are, as I indicated before, well conceived and they are expressed in terms of an index that measures changes in quantity, changes in quality, changes in demand, et cetera. We do not have the same statistics for wages. Therefore, any statement that I can make about the movement of wages must be more temperate and more careful.

I have looked almost every year and teach continually about the movement of wages in the United States and I would say that taking both the industries where wage increases tend to be high and the industries where wage increases tend to be low, we can talk of an

average movement in wages of about 5-1/2 per cent per year in a historical context.

If I may, your Honor, this does not mean that every single worker gets 5-1/2 per cent per year, or that every worker in every industry -- that means that on the average, taking the industries that are dying out and the industries that are growing rapidly, the average of 5.5 to 6 is a reasonable judgment on the movement of wages in the United States.

THE COURT: I am well aware that everybody doesn't get it because we in the Federal Court haven't had an increase in five years.

THE WITNESS: I think something should be done about it, your Honor.

THE COURT: I wish somebody would do something about it.

THE WITNESS: You might want to use an economist to testify in your behalf.

THE COURT: I don't think President Nixon is attuned to economists.

Go ahead.

Q This rate of 5-1/2 per cent to 6 per cent, has that been the long-range rate or the short-term rate? I am just not clear.

A Is likely to bring their wage movement above the average. They will tend to be industry of higher-- industries of higher wages.

Q Dr. Ornati, is there any generally accepted view among the members of your profession as to whether or not wages are likely to continue to rise as they have risen?

MR. HUTTENBRAUK: Objection, unless the claim is established there is a general rule of economists in this connection.

THE COURT: I would bring him back to his own opinion here. What he bases it on could be cross-examined by Mr. Huttenbrauk.

He has an opinion and he will be subject to cross-examination.

A It is my opinion that wages--

MR. HUTTENBRAUK: Just a minute. Did you--

THE COURT: I sustain the objection in the form put.

Q Have you an opinion as to whether or not wages are likely to rise in the future?

A Yes, I do, sir. I thought I answered that.

Q We have our own rules here we have to follow.

THE COURT: You answered about prices but you didn't answer about wages.

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A It is my judgment that wages will rise in the future in the American economy.

Q Have you an opinion as to the percentage we may reasonably expect such wages to rise each year?

A I think it is fair for me to assume, around 5-1/2 to 6% per year, as in the past.

Q What is the basis for your opinion, what are the factors you have taken into account in reaching this conclusion?

A Mainly the established historical movement of satistics and the fact that the majority of forecasts published either by governmental bodies or private bodies tend to cluster in the same area.

Q Have wages historically risen at a faster or slower rate than prices, since 1962?

A At every time period, Mr. Klein, wages tend to lag behind prices. Wages move to catch up with prices. So that if you compare the wages that a man receives in a given month with the wages that he received three, four, five, six or seven months earlier, they tend to be the same while prices rise day in and day out, so wages lag behind prices.

On the other hand, when we look at the statistics over the long term, we find that in very real terms, since

I have on some occasions been critical of what certain unions have done and in other cases I have found it to be proper. I don't know if I am over-answering, but I am an arbitrator. I am on the Americal Arbitration Association panel and the New York State panel and the New Jersey panel, and I would assume that that, in a way, qualifies me as more of an impartial than as an advocate of unions.

Q Have you ever sat as an arbitrator?

A Yes.

Q You jumped at my question.

A Sorry.

Q Have you ever sat as an arbitrator having been selected by the capitalists rather than the union's side of a dispute?

A I have always sat as a single arbitrator.

Q So that means that you were approved by both sides?

A That is correct.

Q You talk about the inflation rate. I think you said that most economists or the conservative estimate from '73 to '85 would be 4.2 per cent.

A Yes, sir.

Q That most economists thought it would be 4.5.

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94a

A Right.

Q I think you went with that group and thought it would be 4.5.

A I said between 4.2 and 4.5, closer to 4.5.

Q That means, as I understand it, I am certainly not an economist, that there would be continuous inflation at that rate at least until 1985?

A That's right.

Q Now, you base that on --

A Continuous inflation of an average of that much per year. Some years more; other years less.

Q But obviously no economist is going to foretell in what year it will be the average or below the average or above the average?

A That is about right, yes, sir.

Q Doctor, I seem to be getting the distinct impression that you economists are saying that it went up, say, 4.5 for the last ten years, ergo, it is going up 4.5 for the next ten years.

That is hardly what you call good logic, is it?

A I don't think economists say that, nor do I think I say that. Certainly, I specifically said that over the last ten years the rate of inflation was greater than what I forecasted for the future.

SOUTHERN DISTRICT COURT REPORTERS
UNITED STATES COURT HOUSE

95a

What I said and what I think most economists say is that there are some well identified factors that are working now that are in the economy now and that, from those factors, one can establish surely a general tendency of price increases, surely a tendency of general price increases greater than those in the past, and that in our best judgment it will be about 4.5.

Q You don't think that any of the efforts of any administration -- I am not specifically referring to any -- but I am sure that most administrations, Federal administrations, will attempt to, or have been making attempts to cut the rate of inflation. Don't you think that would affect the rate of inflation for the future, say from '73 to '85, which is the period that you selected?

A Well, sir, if I were to base my forecast on the basis of the achievements of governments, and particularly the achievement of the current bodies in government to control prices, I would have made a much higher estimate.

Q What you are saying, then, is that no matter what we do we are going to have an inflation of around 4.2 to 4.5?

A That is about right, sir. What I wanted to say earlier, but I guess the question did not permit it, is that if you look at the history of prices and the feeling

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about inflation in this country, and compare it with what happened to prices in the rest of the world, we, although we talk as a nation a lot about inflation and say that it is a bad thing, we would have to recognize that in comparison with the rest of the world, the dollar has been a stable currency; that prices have not risen relative to other prices by very much.

Q I suppose you have in mind the experience of the German mark?

A Or the Argentinian inflation in the 20's or the movement of the Italian lira since World War II, or even the current movement of the German mark.

Q Of course, you don't think -- isn't it your view, Doctor, that a little inflation is not necessarily bad?

A It depends on if you owe money or if they owe money to you.

Q Generally, for the general economy and well-being of our country, is a little inflation bad?

A That is, of course, the big issue that all economists continually argue.

To go back to what you asked before, I think that I could properly label myself conservative because I tend to feel that the values of a society, not economic

97a (196)

values, but political and moral values of a society, tend to be weakened if the inflation is too high.

Now, what is little and what is a lot is a difficult thing to answer. I would say that if we could keep -- if I were to have my choices as to level of inflation that I would want to have for a nation, I would not say 4.2. I would more probably say about 3 per cent, or maybe 2-1/2 per cent.

So, if you are asking me about my feeling, rather than my judgments, I have given the 4.2 to 4.5 estimate of future inflation with a certain sadness in my heart.

Q Are there any economists who think that the future inflation would be less than, say, 4.2?

A I don't know of any. I don't know if that is appropriate in a Court, but I would like to tell you what happened two weeks ago. I was at a professional meeting of the Industrial Relations Research Association, and I was asked to sit at the dias and I sat next to Mr. Bienstock, who is the Regional Director of the Bureau of Labor Statistics for this region, for the east, and we were talking, as one is wont to do, because he looks at these prices at all times, and we were talking about that, and I said, you know, "My feeling is somewhere around 4.5." He said, "Oscar, that is about what I would say."

98a

This is Mr. Bienstock who, after all, does this every day. He looks at these numbers every day.

Q You said that one of the factors, as I recall your testimony, was based upon world population.

A Yes, sir.

Q Of course, you also pointed out that the world population is going up where the American population is more stable.

A More stable, yes.

Q Are you taking that into consideration in your 4.2 estimate?

A Yes, sir.

Q Even with respect to world population, would the propaganda for birth control have something to do with it?

A We can hope so.

Q Would that, however, cause you to lower your 4.2 figure?

A Sir, the great majority of the people that would be buying, eating, sleeping, doing whatever they will in 1985 are already here. If birth control has an impact on a world-wide scale, and I think you and I, as human beings, would agree that that might be desirable, that effect will be felt later.

SOUTHERN DISTRICT COURT REPORTERS
UNITED STATES COURT HOUSE

99a

What I have also taken into account is the death rates in the rest of the world are falling, so that I think that I will stay with what I said, that there will be a very large population present and that that will put the demand on basically scarce goods, basically scarce resources.

Q Let's go for a moment, Doctor, into wages. I think you said that from '47 to '53 there was an increase of wages of about 5-1/2 to 6 per cent per year.

A Would you say the years again? I don't remember what you said.

Q '47 to '73.

A Yes, that's right.

Q But you were unable to testify, at least I didn't get a clear answer, what the increase was from '70 to '73.

A That is right. I did not figure it out on a percentage basis, but it is available in the Bureau of Labor Statistics reports and we could look it up.

Q The '47 to '73 figure was also from the Bureau of Labor Statistics?

A That's right.

Q Has there been any projection of wages, say, for

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the period from '73 to '83? 100a

A No, sir.

Q Why is that?

A I guess because that is where angels fear to tread. It is very difficult to do that, sir. It is very difficult to do that because we cannot forecast, for instance, the impact of collective bargaining. We don't know what the results of the interplay between various unions and managements will be.

I would not be on good ground, not be on comparably solid grounds in forecasting wages.

Undoubtedly, we know that productivity will have an effect on future wages. Undoubtedly, we know that in some areas unions will have an effect, and particularly large and powerful unions or unions that control a given trade, they will have an effect.

All I can say, sir, is that most probably future wages will compensate at least to some degree the inflationary pressures that are more easily forecastable.

Q So, Doctor, you, as a man versed in the movement of wages particularly, now will not -- has not projected any increases, say, for the next ten years?

A On wages?

Q Yes, I am confining myself to wages now.

SOUTHERN DISTRICT COURT REPORTERS
UNITED STATES COURT HOUSE

A No, sir. I have not.

Q You feel that that is economically -- in the science of economics, an unsound project?

A No, I just feel that it is more difficult to do and that the variables that will determine wages are not as well in hand today as the variables that are available to determine prices.

I would guess that one could do that and one would consider among the forces that push up wages, besides productivity and inflation, at least for the United States, the more limited availability of certain people of certain ages. In other words, we would consider the age duration of the population now.

If you are trying to -- well, I don't know. I just haven't done it. I think I have some judgments about it.

Q You also discussed, Doctor, the discount rate.

A Yes, sir.

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UNITED STATES COURT HOUSE
FOLEY SQUARE, N.Y., N.Y. 10007 TELEPHONE, CORTLANDT 7-4580

102a

general. Whether he had an opinion as to future raises would be.

THE COURT: I have just future here. I assumed he was talking about this man at that point.

MR. KLEIN: No, sir, I was talking generally.

THE WITNESS: I have not studied the specifics of the wage movement of marine engineers or people in that industry. I know a little bit about it and I know that their increases have been much more marked than the average for the United States.

Unless I'm very confused, and I don't think I am, I have been talking about average wages of manufacturing, non-supervisory workers, in the United States.

Q You know nothing at all, do you, Doctor, about the marine industry, the shipping industry, insofar as their wages are concerned?

A A professor like me will never admit that he knows nothing at all about anything, but I would say in response to you, sir, I am not an expert, I do not know the special conditions, the wages. I don't even know the job classifications involved.

Q One of the things that I don't quite understand, you testified there would be about 4.2%, conservative estimate, of inflation, for the ten year period 1973 to 1983.

103a

A Right, and thereafter.

Q That is not the same as the wage increase, is it?

A No, sir.

Q So that the figures could be completely different?

A They could be different.

Q And you couldn't use the figure that you have given us here of 5-1/2 to 6% as an indication of what the increase in wages would be for the 1973 to 1983?

A Not alone, that's correct, sir. If I may, prices are measured by the consumer's price index. That means the price of food, the price of rent, the price of clothing, the price of entertainment, of some consumer durables, automobiles, medical health, et cetera.

These are related to wages but they are not the same.

Wages move in response to productivity increases, to changes in the skill of the workers, to changes of the way an industry organizes its production, to changes in the training of the individual, and changes in prices, but the two are not simply linked. Otherwise, everybody's real wage would remain absolutely steady and consistent and lots of arguments that go on between union and management would

not be necessary. 104a

Q Doctor, you were involved in movement of wages and prices in 1963, is that right?

A Yes, I was teaching and working in that area.

Q In that field?

A Yes, sir.

Q At that time, what did the economists foretell as far as inflation was concerned, say, for the next ten years to 1973?

A In 1963, I can't recall with precision. I know that around those years there was a big debate as to the relationship between levels of unemployment in the United States and rates of inflation, and I think that at that time most economists were saying that the rates of price increases were going to be around 4%, but I do not recall with precision.

Q In other words, you can't tell us how accurate was the prognostication made in those days as to what the rate of inflation would be from, say, 1969 to 1973?

A My students always asked me how accurate the economists' forecasts are and my answer is, well, accurate as compared to what? The ability of the economists to forecast the gross national product is signficantly better than the ability of any other scientist to forecasting at

SOUTHERN DISTRICT COURT REPORTERS
UNITED STATES COURTHOUSE

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The percentage of error is less than half a per cent. That is a forecast about two or three years ahead of time.

On prices we can forecast with very, very great precision to the second decimal point for about six months. Then the precision of the forecast weakens a little bit.

Am I being responsive? I am trying to answer.

Q Yes, you are.

You talked about price. How about inflation?

A That's what I mean. Inflation is prices.

Q In other words, in 1963 they were saying somewhat similar to what actually happened in 1973?

A Pretty close. What in 1963 was not well-forecast was the pricise degree of the impact of the rapid escalation in military spending, what that would have been on the economy.

If I look at my tables, in 1963, from 1964, in consumer prices, the percentage was much, much smaller than in 1968 and 1969. What one was not able to forecast then were the specific variations, wars, and so on.

Q So I think you will agree, wouldn't you, Doctor, in an imprecise science and in many cases there are going to be factors involving the rate of inflation and prices.

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that economists can't foretell, such as you have just pointed out, a war?

A That's right, sir. Economists deal with many, many variables, probably more variables than any other scientists. They have computers now to help deal with these variables but I hope I didn't presume to say that they were absolutely right and precise for long periods of time.

Q And most of your testimony here this morning was that based on certain assumptions such as, that it was 4.2 for so many years, we can look forward to similar rates, assuming we don't have any variables to knock it out?

A I think I specifically distinguished that on prices, the long-term trend was 3.5, and I specifically explained why recent events led me to say what would be in the future. But if you ask me can I predict anything with a precision with which you can predict if you turn on a switch, the lights will go on, I am not claiming that but I am saying it is a pretty sophisticated prefession, that it is continually tested in court, in public debate, in the business community,and that therefore lots of the smooth edges got rubbed off and we surely as a profession are not fly-by-night types, charlatans.

Q As I recall it, Doctor, Exhibit 13 was some notes that you accumulated, figures that you accumulated,

107a

MR. KLEIN: Your Honor, at this time I would like to offer into evidence the three documents which have been marked for identification with this witness on the stand, 12, 13 and 14. (23)

MR. HUTTENBRAUK: No objection.

XX (Plaintiff's Exhibits 12, 13 and 14 received in evidence.)

REDIRECT EXAMINATION

BY MR. KLEIN:

Q Doctor, maybe I am asking you to compare apples and oranges, but perhaps we are having difficulty in understanding why you feel that wages will go up, in your judgment, at a rate of 5.5 to 6%, whereas prices will go up, according to you and your colleagues anywhere from 4.2 to 4.5%.

Is there anything inconsistent in wages going up at a greater rate than prices going up?

A I must apologize for not having been clear. I thought I was.

Look, Mr. Klein, think of what has happened in America, let's say, from 1920. Let's take that point. And look at the condition of what in the books is called the working classes, okay?

By any stretch of the imagination, by any yardstick,

men of reasonable judgment agree that workers have it better now than they had it in the past. That's all I am saying. I am saying that the real earnings of workers have, in fact, improved. I am saying this will continue to improve. I'm saying prices will continue to go up, but because of productivity, because of the unions, because you have higher levels of education, because you have better health, because of the ability of American industrialists to organize their production functions, I would suspect that what happened in the past will continue to happen in the future, somewhat in the way that I was asked before, and that in fact, wages, although always leapfrogging around prices, will in an average sense, in the long run, increase more than prices.

I hope that this is so.

MR. KLEIN: Thank you.

I have nothing further.

THE COURT: I don't know if this makes any sense to anybody but myself and I don't really know whether you can help me.

You, I assume, took algebra, mathematics and so forth. Did you take calculus?

THE WITNESS: Yes.

THE COURT: I did, too, but I don't remember it

WATSON EXHIBIT 3

Testimony of Kenneth Camisa (Excerpts), December 4, 1973

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MR. SCHWARTZ: Mr. Camisa, please.

K E N N E T H C A M I S A, called as a witness by the plaintiff, being first duly sworn, testified as follows:

DIRECT EXAMINATION

BY MR. SCHWARTZ:

Q Mr. Camisa, by whom are you employed?

A I am employed by Martin E. Segal Company.

Q What is the Martin E. Segal Company?

A The Segal Company are consultants and actuaries to pension plans, welfare plans, and other compensation programs to corporations, unions, and government agencies.

Q What is your job presently?

A Presently I am vice-president of the company responsible for providing consulting services to various clients of the company, pension plans, welfare plans, and things of that nature.

Q Incidentally, the chart that is here for Period A, and that is marked as Plaintiff's Exhibit 7, did you prepare that chart?

A Yes, I did.

Q Was there a period of time prior to your present employment when you were employed by the International

Organization of Masters, Mates and Pilots?

A Yes, from approximately April 1968 to July 1973.

Q During that period of time when you were employed by theInternational Organization of Masters, Mates and Pilots, what was your job?

A I was the director of research for the International Organization of Masters, Mates and Pilots.

Q Prior to the time that you were the director of research for the International Organization of Masters, Mates and Pilots, by whom were you employed?

A I was again employed by Martin E. Segal Company, my current employer.

Q So that period was what?

A From 1962, approximately February, to the time I joined the Masters, Mates and Pilots in 1968.

Q Let's talk about the period of time you were the research director for the Masters, Mates and Pilots. Will you tell us what your duties were, what kind of things you were expected to do, and what kind of things you researched, and things of that sort?

A My primary purpose was to provide technical information and background for the negotiators who were the officers of the union. It meant determining what employment costs were, establishing the price or the value of certain benefit

to show from t[illegible]able?

A First, using the mortality table I described earlier, I estimated that this individual would have lived until the end of July 1994. I then showed, year by year, what the pension would have been paid to him, so in the case of the first year, he would have received three months' payment, in the last year he would have received sev en months' payment, and in all the intervening years a full year's payment would have been received.

He would have received a total amount of $314,190 over this period from 1982 through 1994.

Q Once you got through prorating the $26,551, that pension figure stays constant throughout this period of time; there is no progression for that?

A There is no increase for cost-of-living or inflation or anything like that in this calculation.

Q As far as you are aware, in any event, has there ever been a provision in the Masters, Mates and Pilots collective bargaining agreement providing for increases in pensions?

A There have been a few collective bargaining agreements in recent years where existing pensioners were increased. Two that come to mind immediately, in each case, the pensions were increased 5 per cent at the time

it was being done; also as part of the last collective bargaining agreement, there was a proposal by the union that an automatic cost-of-living adjustment be included in the pension plan.

Q That promise, incidentally, would have applied to the service-connected pensions as well as the -- rather, the wage-related pensions as well as the others; is that right?

A It applied to all pensions, yes.

Q The union was not successful in obtaining that?

A To my knowledge, they were not successful.

MR. SCHWARTZ: I don't know if I have made that part of it clear, your Honor, but that is what this figure here represents. This $314,190 figure is this same salary just over that period of time.

Q At my request, did you also discount this figure?

A I discounted the figures payable on a year-by-year basis in this table at a discount rate of 5 per cent.

Q This figure right here at 5 per cent, and what point in time did you use to discount that?

A I discounted back to February 1, 1974.

Q What figure did you come up with?

A The total figure is $159,602.

MR. SCHWARTZ: I offer this.

THE COURT: That is taken subject to the same condition, with an exception to the defendant.

xxx (Plaintiff's Exhibit 21 received in evidence.)

THE COURT: Here, again, I think you should give it to us at 4, 6 and 7 per cent.

Q I want to show you another document that is entitled IV, and ask you if this is something that you prepared for me.

A It is.

Q Do you have a copy of it?

A I have a copy here. It's titled "Present Value as of 2/1/74 of Pension Payable on and after October 1, 1982, with 4-1/2 per cent Inflation Factor."

MR. SCHWARTZ: I would like this marked as Plaintiff's next exhibit for identification.

xxx (Plaintiff's Exhibit No. 22 marked for identification.)

Q What did you do in this exhibit that is different from the one before? This also, as I understand it, deals with Period C.

A That is correct. This also starts with an annual pension of $26,551, and increases that pension in equal amounts of 4-1/2 per cent each year. In other words, for the first year, the figure is $26,551, plus 4-1/2 per

cent.

For the following year, it's 4-1/2 per cent on top of that, to show a regular progression of pension during the period of retirement.

Q That was based on what, on an inflation factor of what?

A 4-1/2 per cent per year.

MR. SCHWARTZ: What I have done, your Honor, is just indicated --

I'm sorry. I don't have a mark on this one.

xxx

(Plaintiff's Exhibit No. 23 marked for identification.)

MR. SCHWARTZ: What I have on Plaintiff's Exhibit 23 is that I have in green an arrow indicating that instead of the straight line progression which is adding up all the pensions which didn't change, I have it brought down at a 4-1/2 per cent inflation factor at that period of time and I want to put in green the figure below the $314,190 what that would be.

Q Would you tell me what that would be, the corresponding figure?

A The corresponding figure is $416,995.

Q If you discounted that by 5 per cent, how would that figure compare to the other one that you discounted

where you got $159,602?

A The new discounted figure would be $206,515.

THE COURT: Was the figure of 4-1/2 per cent given to you by Mr. Schwartz, or did you come up with that figure?

THE WITNESS: It was given to me.

THE COURT: Do you have any opinion of your own?

THE WITNESS: I do. I think the inflation that is going to affect pension plans is going to be much higher than 4-1/2 per cent in the future years, and that something is going to be done, either by the Government or by collective bargaining parties to meet that need.

THE COURT: Actually, in these contracts that have been negotiated, this figure always is considered, isn't it?

THE WITNESS: Which figure?

THE COURT: The inflation factor. In every one of your collective bargaining agreements that you have ever entered into, hasn't that be considered?

THE WITNESS: It's been considered to support demands for additional increases.

THE COURT: I don't care to support what, but the final whole figure includes that concept?

THE WITNESS: Yes, it does.

THE COURT: All right.

Q When you just indicated to us that you thought that the Government was going to do something, or something was going to have to be done about that, can you tell us what you base that on?

MR. HUTTENBRAUCK: Objection, irrelevant.

MR. SCHWARTZ: I want to know the basis of his opinion.

THE COURT: Actually, I am not going to go into that because it seems to me that you have suggested 4-1/2 per cent, he says in his opinion it's higher, but that is as far as I go upon my own thinking in the matter is concerned.

MR. SCHWARTZ: The only point I was trying to make, and I think the reason was part of your Honor's question, is that the calculations included with regard to the inflation in the collective bargaining agreements deal primarily with the other aspects. We just never had an increasing factor with regard to the pensions. We started talking about that; we just have never gotten to it, and inflation has gotten to be so difficult to everyone, the Government is starting to talk of an inflation factor for Social Security and things of that sort, so I don't know if it's just totally accurate to say that you include it.

In any event, I did give him the 4-1/2 per cent

figure.

THE COURT: We will come back at a quarter after 1:00.

(Luncheon recess.)

MD

(195)

AFTERNOON SESSION

1:20 p.m.

MR. SCHWARTZ: May I refer to the stipulations Mr. Huttenbrauck and I agreed upon during the luncheon recess on the basis of the discussion of these matters with Mr. Kelly, who was here to testify, and who also is a personnel man, and also James DeMott, who is the paymaster.

First of all, the vacation schedule we have stipulated to the accuracy of that item. It is tanker vacation schedules from 1961 to 1972, and it is broken down in terms of calendar years so that you can see how many days each year he was on the ship and how many days he would be entitled to be off the ship.

I would like to introduce that as our next exhibit in evidence.

MR. HUTTENBRAUCK: No objection.

XXXX (Plaintiff's Exhibit No. 24 was received in evidence.)

MR. SCHWARTZ: We also have a stipulation that Mr. Kelly, the personnel manager, who knew Captain Fanning generally, not very well or personally but who knew him, he says he knows of no reason why Captain Fanning would not still be employed by the company, if he so

Q Now, talking about Period C, in the course of the work that you are doing in pensions now for the Martin E. Segal Company, are you familiar with the federal government pensions?

A Yes, I am.

Q Are you familiar with what is being done with regard to social security items?

A Yes, I am.

Q Have you had to familiarize yourself with whether there is or there isn't inflation, the extent of it, and the effect of it?

A I have had occasion to look at what changes have occurred in the cost of living, particularly between the consumer price index and its effect on pensions, yes, sir.

Q Under the government retirement systems, can you tell us whether or not any impact of inflation or cost of living has been recognized.

A The federal civil service retirement system has an automatic cost of living escalator clause in it. It was one of the first programs of any size to have an automatic increase to reflect the changes in the consumer price index.

Basically what happens is any time there is a

3 per cent increase in the consumer price index federal pensions are increased a like amount.

Q How about any other funds handled by the government, such as social security?

A Social security for the first time in 1975 will provide an automatic cost of living increase similar to the federal civil service retirement system. These amendments were enacted in 1972 to be effective in 1975, and will do basically the same thing. Everytime there is an increase of at least 3 per cent the social security pension will be increased proportionately.

Q Let me talk about future wages in the maritime industry beyond the present period. During the five or six years that you werethe research director for the Masters, Mates and Pilots, what was the extent of your examining the data that was available with regard to the wages in the maritime industry?

A One of my responsibilities was to watch what all the other unions were doing with respect to the wage increases, how much they were getting from the shipping companies, and how they were using that money in terms of wages, pensions, or other forms of the compensation.

Q I want to look at the exhibit that we have a stipulation about, which is Exhibit 7. Looking at the

column on the left hand side which has the figures and the years 1963 to 1973, did you at my request make any calculation as to what the average overall compound increase was?

A Yes, I did.

Q What was it?

A The compounded annual increase reflected by that table is five and a quarter per cnet over that period of time.

Q Did you also at my request look at the last five years, 1969 through 1973?

A Yes, I did.

Q What was that increase?

A The increase there was 6 per cent.

Q Durigg the period of time that you were doing this research work did you have any occasion to look at items like the Bureau of Labor Index Statistics with regard to prices and other items like the consumer price list and things of that sort?

A Yes, I did.

Q Are you generally familiar with those items during the period of 1963 to 1973, or during that other period?

A Yes. I am not sure I could recall individual years, but the overall period I can recall.

Q Can you tell us just the general relationship between the collective bargaining increases and the inflation rates?

A Over this period, with the exception of the first two years and perhaps three years, 1963 to 1965, in each of the other periods the wage increases clearly outstripped the increases in the consumer price index, which is generally regarded as the cost of living guide, so they were far in excess of that guide in every other year.

Q During the period of time, during that same period of time as research director, were any of the claims with regard to increases in pay related to the increased productivity of vessels?

A Increased productivity only became issues, to my recollection, in the very last collective bargaining agreement.

Q How are the wages related to productivity in the wage scales in the agreement?

A In the tanker agreement -- and I think that is the only pertinent one here -- the only way productivity is really reflected is that there are categories, wage categories, three of them under the old agreement and four under the new agreement, which based upon the size of the

ship, its carrying capacity, and its horsepower -- and those two factos turn to a new item called power tonnage -- there are differnet rates for each power tonnage classification, the higher power tonnage classifications having a higher salary rate.

Q What is the relationship between the high power tonnage and the carrying capacity of the vessel?

A One of the elements is the gross tonnage of the vessel. High power tonnage will generally carry more tonnage.

Q In calculating the carrying capacity you not only have size, but speed, I assume.

A There are a number of factors that come into any calculation of productivity. And size is one factor, with speed being another. The amount of turnaround is a further one for something like a tank ship.

Q Has there been traditionally any relationship bwtween the dry cargo wages and the tanker wages?

A During the period that I am familiar with, which is basically from the late 1950 so the current date, dry cargo wages have generally been higher than tanker vessels.

Q Based on your experience, and including all of the different types of unions that are involved in the maritime

indsutry, can you give us a percentage of unionization within the tanker ship group? By that I include, as I say, all of the maritime unions.

What percentage of the tanker industy is organized?

A As far as I know the entire tanker industry is organized. Now, there are a number of what are commonly called company unions which I guess some groups might claim are not true unions, but some of the big oil companies, including Standard Oil of New Jersey, and Mobil, and I believe Texaco, have their own company unions.

The remaining part of the American tanker fleet is either Masters, Mates & Pilots, or other related associations in the field.

Q What relationship is there generally, if any, between the contracts of those so-called company unions and the Masters, Mates and Pilots?

A I don't understand.

Q Would they be cheaper, about the same, or more expensive contracts?

A I have had the opportunity to examine some of the contracts. The contracts generally are in excess of the MM&P. It's been my understanding that one of the ways the companies, the oil companies, have kept the Master,s

Mates and Pilots and other similar unions from organizing those groups by keeping wage rates high.

MR. SCHWARTZ: I have Plaintiff's Exhibit 5 marked for identification, and I would like to have that marked in evidence now, if there is no objection.

THE COURT: All it shows is the contract periods.

MR. SCHWARTZ: Yes, sir.

THE COURT: Is there any objection to that?

MR. HUTTENBRAUCK: None, your Honor.

THE COURT: Received.

XXX (Plaintiff's Exhibit No. 5 was received in evidence.)

MR. SCHWARTZ: Judge, we have the 1961 to 1965 years in, I think we have the 68 to 69 in, and the 72 to 75. I would like just to insert into the record the 1969 to 1972, not for the purpose of getting into the specific wages, because I think we've got that covered already, but just to show the various increases and other areas that are in the agreement thatwould indicate projecting a wage increase into the future.

I would like to introduce the 1969 to 1972 agreement.

THE COURT: Is it fair to say that although

Q If there was a deflationary movement, that would depress wages, isn't that correct?

A It would tend to either depress wages or limit the amount of increases thatwould occur.

Q Wouldn't it be more likely, though, to depress wages rather than just limit the amount of increases?

A From what I have seen of existing wage-price controls I think the government, the current administration, recognizes that wage increases can't be shut off entirely and the theory is to maintain increases that bear some relationship to increases in productivity so that the overall impact on prices will be limited.

Q But the fact remains, doesn't it, Mr. Camisa, that this six percent increase that you have postulated in all your calculations here is not something that you can establish with any degree of certitude?

A I cannot be certain of that, no.

THE COURT: I assume in that question you have assumed that he has assumed that Mr. Schwartz's percentage is correct.

MR. HUTTENBRAUCK: I have assumed that.

THE COURT: Then your judgment in this case, and this figure was not given to you by Schwartz at this point but is your own figure of six percent increase?

THE WITNESS: In my discussion just now that was my own opinion, yes. In preparing the table I responded to the request of Mr. Schwartz.

THE COURT: Now you have seen it and heard the argument on it you would adopt that percentage, as I understand it?

THE WITNESS: Yes, I would.

THE COURT: Let me ask you. In 1968 there is a master there, he is a specimen master, he is an average master, he is a hypothetical figure as I see him, and he gets $20,693. That doesn't represent any particular individual, doesit?

THE WITNESS: That 20,693 --

THE COURT: By name I am talking about.

THE WITNESS: No. That is ote of the figures I calculated from the contracts. '69 was not available on the payroll.

THE COURT: As I understand it then because of a reason the union was interested in they wanted to make more berths available for masters or they wanted to train more masters for the future and they had to increase the vacation period.

THE WITNESS: That was one of the objectives, yes.

THE COURT: Does it mean then that part of that

vacation period which they would have to take being a member of the union, that's the reason they take it?

THE WITNESS: And they take it I believe to be with their families, not because they are forced to. At least up until the current contract --

THE COURT: I am talking from 1973 on.

THE WITNESS: I'm sorry, I misunderstood you. From 1973 on they are forced to take vacation time through the union, yes.

THE COURT: When they reach a certain point in the vacation they are then paying for their own vacation?

THE WITNESS: That's right. They have to take some time off without pay.

MR. SCHWARTZ: I covered that in a stipulation we entered before.

THE COURT: I am not interested in the stipulation. You projected a figure, for example, in 1977, this specimen master would earn $39,251, right?

Now, that assumes thathe doesn't take any vacation period on his own and pay for it himself.

THE WITNESS: You could describe it that way. It could also be described as saying the amount he receives as other compensation would not cover the time he had to take off alone.

THE COURT: I am saying to you it's possible in 1977 for there to be a master on board that ship who didn't work for, say three months on his own time, and took his own time off for some particular reason that he had. He wouldn't be earning money during that threemonths and he wouldn't be getting $39,000 like this specimen master gets.

THE WITNESS: That's correct.

THE COURT: That is the only thing I wanted to find out.

All right.

MR. SCHWARTZ: May I be sure I understand what you said?

In other words, at any time during the projected period, during period B, if a man decided on his own to take some time off and it wasn't vacation that he had earned, he wouldn't get paid for it?

THE COURT: Right.

MR. SCHWARTZ: There is no argument about that.

THE COURT: I am not saying there is. I was just trying to find out what the answer was.

MR. SCHWARTZ: We haven't gotten to that point yet. The only thing I was concerned about was the fact there had been some discussion earlier in the case about the fact that there was a device now which provided forabout a month

off each year for the master without pay as a method of sharing, and that was thepurpose of the stipulation that I talked about with regard to components of the master's pay. We did that in this agreement, but we also took care of what he would lose in income by having the clerical, and it turned out to be a thousand dollars better.

THE COURT: Yes, I know the figure.

MR. SCHWARTZ: All right.

BY MR. HUTTENBRAUCK:

Q Just a few more questions, Mr. Camisa.

Are you an actuary?

A No, I am not.

Q You are an economist?

A I am an economist by education, and a consultant, if you want to use that term, as my occupation.

Q A consulting economist?

A No, a consultant on employee benefits.

Q You work for an actuary concern, don't you?

A Consultants and actuaries, yes, they are titled.

Q Do I take it that if we take this figure of 17,655 and multiply it by 1.8983 you will get 33,513?

A Yes.

Q And it's been headed pre-judgment interest. Under your table which I understand you got this figure 1.7983 from,

A You would get a lower figure of some amount.

O And if you use 4 per cent the 159 would be higher?

A That's correct.

O When you were working for the Masters, Mates and Pilots, did you ever calculate what the average retirement age of a master was?

A No, I did not. Not of a master.

O Do you know from the records of the Masters, Mates and Pilots what the ordinary average or hypothetical age is that a master retires at?

A I don't know for an individual master. There have been continuing reviews of what deck officers generally are retiring at, but there is not a single figure because it has been a very dynamic thing. From 1964 up until about 1968, everything within the pension plan and the things happening within the industry encouraged people to retire early. There was a twenty-year pension at any age, so that somebody who had twenty years of service in his early forties could easily find another career, so a number of people were encouraged to take the pension.

As f[illegible] as starting in 1968, pensions became wage related, and not only were they wage related but because of the averaging device it encouraged all deck officers to stay

in the industry even if they had the time in to be able to increase their earnings that would be used for pension calculations, so that there was a big transition at one point in time around 1968, and a shifting of retirment patterns for the masters, mates and pilots because of changes in the plan.

There has been a similar one, to my understanding, although I don't have statistics, resulting from the most recently concluded collective bargaining agreement, which further amended the plan to provide additional benefits for someone who stayed in thirty years, so there isn't a single age that, you know, can be used as being past history because events within the industry and within the plan have tended to make the average retirement age fluctuate.

Q But a man can still go out today, after he has had twenty-five years?

A A man could still go out after twenty-five years at any age, yes.

Q Do you have anything to do with the Master, Mates and Pilots pension system at all as vice president of Segal?

A Currently, I do not. Another member of our staff serves as the consultant.

WATSON EXHIBIT 4

Testimony of Kenneth Camisa (Excerpts), December 10, 1973

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cited at that time to your father's death?

A I would say at that time I had beaten the university system. That's what I would say.

Q So that it had nothing to do with your father's death at all, did it?

A At that time -- you mean my acquiring good grades?

Q Yes.

A Probably not. Other than the fact that I was trying to emulate him, if that has anything to do with with it.

Q You weren't trying to emulate him because he had no -- he didn't have the opportunities --

A He was a successful man, and I was trying to succeed.

MR. HUTTENBRAUCK: That's all, your Honor.

MR. SCHWARTZ: I don't have anything else.

(Witness excused.)

K E N N E T H C A M I S A resumed.

MR. HUTTENBRAUCK: Are you through with this witness, Mr. Schwartz?

MR. SCHWARTZ: According to the transcript you were well into a cross examination and indicated you had about 10 more minutes. So I have long since been

than that then you will have to make him your witness.

MR. HUTTENBRAUCK: I just want to know that there was not involved in Plaintiff's Exhibit 7 a consumption factor of a certain percentage.

MR. SCHWARTZ: I will stipulate to that. That is the stipulation.

THE COURT: So he will simply say so.

A The answer is no.

Q You also did one for period B, is that correct?

A Yes.

Q That is from the time of the judgment until '74 to about '82 when he retired?

A Yes.

Q What would be the age of Mr. Fanning in 1982?

A In 1982 he would have been 64 years old.

Q Isn't it a fact that most of the men from the Masters, Mates & Pilots are retiring before 64?

MR. SCHWARTZ: I would object to that question as being totally irrelevant in this case.

THE COURT: Not only that, but it's been answered. He gave an answer to that. The answer was quite an extensive answer. But as I understand summarizing it that would be true a number of years ago when a pension was a 25-year basis and a lot of men decided they would

get out earlier because of that. But now, because of additional benefits in the 30-year plan, he anticipates they will get out later. He did answer this question before, if I am not mistaken.

THE WITNESS: That's correct.

THE COURT: Is that substantially what you said?

THE WITNESS: Yes.

THE COURT: So it is repetitious, and it is in the record already, if you want to use it during the course of the briefing.

BY MR. HUTTENBRAUCK:

Q One further question. This figure for the period from Febraury, 1974 to 1982, in that case did you subject that to a discount?

A That was the thing we were just talking about before that I misrecalled. That was the one I did on two bases. First, at the original 6 per cent increase per year, and then, secondly, at his Honor's request, at 5-1/2 per cent per year increased salary, and then on each of those at the other discount rates, 4, 6 and 7 per cent, I believe they were.

Q On this Exhibit 25 you have 6 per cent increase and 5-1/2 per cent increase?

only shows the inflation increment but shows a discount at 4, 6 and 7. So this way you will have the whole picture, Judge.

MR. HUTTENBRAUCK: I object to those documents, your Honor, for the very simple reason that they do not reveal the true facts. For instance, they do not reveal that there is a consumption factor involved. I think that is terribly misleading to the court. If you don't have what the consumption factor is, we are going to put it in, but I still think unless the exhibits being introduced by Mr. Schwaryz show that factor they are not true and accurate.

THE COURT: We will take it subject to connection, and then when you put yours in --

MR. SCHWARTZ: Those aren't being offered to show consumption. I know consumption has to be taken in this, but we have to have some place to start from.

THE COURT: I will take it subject to that being shown.

(Plaintiff's Exhibits 22 and 22A were received in evidence.)

THE COURT: It also shows 4-1/2 per cent, which is also something I will have to take into con-

sideration. I amaware of that factor too.

BY MR. HUTTENBRAUCK:

Q Mr. Camisa, I take it your point in coming here to testify is to tell us, and give us your expert opinion, the court and Mr. Schwartz and myself, as to what the loss this lady sustained was as a result of the death of her husband in February, 1964 up until today, and then also up until his life expectancy has been used up. Is that generally what you were to do?

A I wouldn't say I was to determinethe loss, but what he, if he would have lived, would have earned and received in the way of compensation.

Q In other words, you were not to come here to testify as to what the loss was, you wereonly here to testify as to how much he would have earned, is that correct?

A That's correct.

Q Isn't it a fact, however, that many elements would be involved in such a calculation that would make it an almost worthless attempt in this regard? Wouldn't the fact, for instance, if there was a major strike in the shipping industry, as there is every ten years or so, say, affect the outcome of your testimony here today?

If we had another war wouldn't that affect his income and how much money he would have earned?

A Yes. There are many things that could have affected his income, including wars, strikes --

Q So that what we are talking about is something that is based upon innumerable variables, isn't that a fact?

A That is correct.

Q Isn't it also a fact that it is also based upon collective bargaining agreements? If the union suddenly lost a lot of the power they have today, then obviously the wage rate might be depressed somewhat, isn't that a fact?

A I don't know that is a fact. It could be considered a possibility.

Q It's a possibility?

A Yes, I think that is a possibility, a remote one, based upon my experience and knowledge of the industry, but certainly one that is possible.

The ability of the union to negotiate is largely dependent on the federal laws which give them certain rights in collective bargaining, and those, I guess, could be changed.

Q Sure, sure. And so aren't we talking about

something that is so variable that we can't make any definite appraisal of what this man would be earning, say, in 1984?

A I wouldn't say we can't make any definite appraisal, any more than a shipping company can't anticipate what its profit is going to be for a number of years based on things that can be measured. I think we come pretty close.

Of course there are going to be variables, but I think we can come pretty close to what the facts might be given normal circumstances.

Q That's it, given normal circumstances.

Isn't that perhaps the key basis of your entire testimony here? You are assuming normal basis up until 1994, isn't that a fact?

A No, I think in terms of the industry, in terms of employment, I have only looked up to 1982, at which point Captain Fanning would have retired. So, really, we are talking about the next eight years, what might happen.

It is true I did not take either the very worst that could happen or the very best that could happen either.

Q You kind of sort of tried to hit at --

A I took what could reasonable be expected based on the past and based on what we know is happening in the industry today.

Q One of the things I am interested in too, Mr. Camisa, is the present value of the pension. You don't have these two exhibits in front of you but let me show them to you.

For instance, 1983, in Exhibit 22you have the pension amount of $27,745. In 22A you have 27,470.

Now, how do you explain the difference?

A It appears that we have two different starting pension amounts.

Offhand, I don't know why the benefit amount should be different.

Q Now, 22 shows an increase each year by how much?

A By 4-1/2 per cent each year.

Q That is due to inflation?

A That was the inflation factor used in preparing this table, yes.

Q Where did you get the 4-1/2 per cent figure?

A I believe Mr. Schwartz told me to prepare the calculation on that basis.

Q As far as you know, is there any record or

basis for that 4-1/2 per cent?

A Within the MMP I think there is a basis for it. There have been a few instances in recent years where pensions have been increased 5 per cent for existing pensioners, and my own feeling is something similar to that will have to be done in the future unless, as I testified earlier, there is an automatic cost-of-living adjustment put in the pension plan.

So I think there will be an ad hoc increase in the future if there is not an automatic system.

tp1 Camisa-cross

T2

Q They can do that? They can increase the pension even after he starts to get it?

A Yes. As a matter of fact, there is a special, so-called special fund in the pension plan, the purpose of which can be -- the organization, the union can determine one of the things that it can be used for and I believe the last time benefits were increased for existing pensioners it was taken out of that special account, increases to existing pensioners.

Q So that means that there wouldnot be a necessity to put any more contribution into the pension fund from anybody, they will take it out of this special fund?

A That is one possibility, yes.

Q Have you computed the amount of what Captain Fanning would have earned including his pension up until the end of his life expectancy?

A Totaled the whole thing up?

Q Yes, sir.

A No, sir, I haven't.

MR. SCHWARTZ: That is B and C.

A There have been so many bases upon which calculations have been made I would have to have some rules before I get a total up.

MR. SCHWARTZ: I am not sure I understand that.

p17 Camisa-redirect

expectancy is.

We have heard something here that a lot of these men retire at 58 or 59 years of age, and now because of the 30-year pension they are staying on the job a little longer.

MR. SCHWARTZ: You haven't heard that in this case.

MR. HUTTENBRAUCK: Please let me finish.

Be that as it may, we should have that type of testimony here, if we hadn't gotten it already, but it certainly doesn't mean -- I don't see the relevancy of a white male's work expectancy for all over the country and in every industry and that sort of thing.

THE COURT I think there is sufficient in the record now upon which the Court can rule. I can't tell from that record whether they are talking about a laborer, doctor or Indian chief.

MR. SCHWARTZ: I thought it might be useful. I agree. I think the place to go is their masters --

THE COURT: You already have plenty on the record.

MR. SCHWARTZ: No. It is the other case you are thinking of. I have gone over the record. We have Mr. Camisa's testimony about what the effect of the pension would be and things of that sort, but we really don't have

tp18 Camisa-redirect

anything in this case similar to what you had in the Denton or Klauser cases.

THE COURT: We have his statement that indicates what the record is in this industry.

MR. SCHWARTZ: I will withdraw it. I thought it might be of some interest.

Q We asked you to indicate the tables you used for compound interest and discount rates.

A All the tables used in my calculations showing compound interest or the present value of some future benefit were taken from this book, which is by Kent & Kent. The title is "Compound Interest and Annuity Tables."

MR. SCHWARTZ: We will have this marked as plaintiff's next exhibit for identification.

xx (Plaintiff's Exhibit 28 was marked for identification.)

Q Can you tell us the page number that you used?

A Because of the volume of the calculations I may not catch them all, but I think most of them are found in a few tables. That would be pages 35, 36, 66, 68 and 70. I believe all the tables are included on those pages.

MR. SCHWARTZ: Can I have the record indicate that those pages that were just enumerated by Mr. Camisa be marked as Plaintiff's Exhibit 28 in evidence.

WATSON EXHIBIT 6

1969-1972 Memorandum of Understanding
Page 1

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(TANKER)

TENTATIVE MEMORANDUM OF UNDERSTANDING between the undersigned company (herein "Company") and the INTERNATIONAL ORGANIZATION OF MASTERS, MATES AND PILOTS (herein "Union")

145a

WHEREAS, the parties hereto have outstanding a collective bargaining agreement, as amended or supplemented (herein "Agreement"),

The parties hereto agree to extend the aforesaid Agreement subject to the following provisions:

I. Effective June 16, 1969, the Agreement shall be amended as follows:

a. The base pay, nonwatchstanding pay, premium rate and overtime rate for the Chief Mate, Second Mate, and Third Mates, on all vessel classifications, shall be equalized with the rates of First Assistant Engineer, Second Assistant Engineer, and Third Assistant Engineers.

b. There shall be a 6% increase on base monthly wages (after the adjustment has been made as above provided) and night relief rates as of June 16, 1969; a further increase of 6% (on the new base) as of June 16, 1970; and a further increase of 6% (on the new base) as of June 16, 1971. The second Mate's base monthly wages on all classes of vessels shall be increased to a midpoint between the base monthly wages (excluding nonwatch allowance) of the Chief Mate and Third Mate in the same class of vessel. This computation shall be made before imposing the 6% increase due as of June 16, 1969.

Plaintiff 6c

WATSON EXHIBIT 9

Chart—Pension Calculation for Chief Mate

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III Present Value as of 2/1/74 of Future Pension as Chief Mate

A. Benefit Calculation

(1) Average earnings excluding overtime:

1971	$17,771
1972	18,837
1973	19,968
1974	21,166
1975	22,436
	$100,178

$\frac{100,178}{5}$ = $20,036 annual earnings for pension purposes

(2) Pension amount = 60% of earnings

20,036 × .60 = $12,022 annual pension

Watson Ex 9

13. Pension Payments

Year	Pension	Pension Discounted At: 4%	5%	6%	7%
1976	$ 12,022	$ 11,116	$ 10,904	$ 10,699	$ 10,50
1977	12,022	10,688	10,385	10,093	9,814
1978	12,022	10,277	9,890	9,522	9,172
1979	12,022	9,881	9,419	8,984	8,571
1980	12,022	9,501	8,971	8,475	8,010
1981	12,022	9,136	8,544	7,995	7,486
1982	12,022	8,784	8,136	7,543	6,996
1983	12,022	8,446	7,749	7,116	6,539
1984	12,022	8,122	7,380	6,713	6,111
1985	12,022	7,809	7,029	6,333	5,711
1986	12,022	7,509	6,694	5,975	5,337
1987	12,022	7,221	6,376	5,636	4,989
1988 (7 mos.)	7,012	4,049	3,542	3,102	2,719
	$ 151,276	$ 112,539	$ 105,019	$ 98,186	$ 91,955

WATSON EXHIBIT 9A

Chart—Pension Calculation for Chief Mate with 4½% Annual Inflation Factor

ONLY COPY AVAILABLE

Chief Mate

IV. Present Value as of 2/1/74 of Future Pension With 4% Inflation Factor

Year	Pension	Pension Discounted At: 4%	5%	6%	7%
1976	$12,022	$11,116	$10,904	$10,694	$10,500
1977	12,563	11,168	10,853	10,548	10,255
1978	13,128	11,222	10,800	10,399	10,015
1979	13,719	11,275	10,749	10,252	9,782
1980	14,337	11,330	10,698	10,108	9,506
1981	14,982	11,385	10,647	9.965	9,329
1982	15,656	11,440	10,596	9,823	9,112
1983	16,360	11,495	10,546	9,684	8,899
1984	17,096	11,551	10,495	9,546	8,689
1985	17,866	11,606	10,446	9,413	8,489
1986	18,669	11,660	10,395	9,279	8,289
1987	19,510	11,718	10,344	9,146	8,096
1988 (7mo)	11,892	6,868	6,007	5,260	4,612
Totals	$197,800	$143,834	$133,480	$124,122	$115,573

Watsm Cy 9A

WATSON EXHIBIT 10

Chart—Pension Calculation for Master

ONLY COPY AVAILABLE

V. Present Value as of 2/1/74 of Future Pension At Master's Level

A. Benefit Calculation

(1) Masters earnings

1971	$ 30,676
1972	29,331
1973	31,091
1974	32,956
1975	34,933
	$ 158,987 ÷ 5 = 31,797

(2) Pension amount = 60% of earnings

$ 31,797 × .60 = $ 19,078 annual pension

Watson Plaintiff's Exhibit 10

B. Pension Payments

Year	Pension	Pension Discounted At: 4%	5%	6%	7%
1976	$19,078	$17,640	$17,304	$16,979	$16,663
1977	19,078	16,960	16,480	16,018	15,573
1978	19,078	16,308	15,695	15,112	14,555
1979	19,078	15,680	14,948	14,257	13,603
1980	19,078	15,077	14,236	13,450	12,712
1981	19,078	14,497	13,559	12,689	11,880
1982	19,078	13,940	12,912	11,970	11,103
1983	19,078	13,404	12,298	11,292	10,377
1984	19,078	12,889	11,712	10,653	9,697
1985	19,078	12,393	11,155	10,050	9,062
1986	19,078	11,916	10,623	9,482	8,471
1987	19,078	11,458	10,117	8,944	7,917
1988 (7mos)	11,128	6,426	5,621	4,922	4,315
Totals	$240,064	$178,588	$166,660	$155,818	$145,928

WATSON EXHIBIT 10B

Chart—Pension Calculation for Master with 4½% Annual Inflation Factor

ONLY COPY AVAILABLE

VI. Present Value as of 2/1/74 of Future Mastics Pension With 4½% Inflation Factor

Year	Pension	Pension Discounted At: 4%	5%	6%	7%
1976	$19,078	$17,640	$17,304	$16,979	$16,663
1977	19,937	17,724	17,222	16,739	16,275
1978	20,834	17,809	17,140	16,503	15,894
1979	21,772	17,894	17,058	16,270	15,523
1980	22,751	17,980	16,977	16,039	15,159
1981	23,775	18,067	16,897	15,813	14,805
1982	24,845	18,154	16,815	15,588	14,460
1983	25,963	18,242	16,736	15,367	14,121
1984	27,131	18,330	16,656	15,150	13,791
1985	28,352	18,417	16,577	14,936	13,470
1986	29,628	18,506	16,497	14,725	13,155
1987	30,962	18,596	16,419	14,515	12,849
1988 (7mos)	18,873	10,899	9,533	8,348	7,319
Totals	$313,901	$228,258	$21,831	$196,972	$183,484

Watson Ex 10 R

WATSON EXHIBIT 11A

Chart—1972-1975 Collective Bargaining Agreement
Yearly Wage Increases

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EXHIBIT NO. 11

June 16, 1972
to
June 15, 1975

Sections
of CBA

I (1) 1972 - 6%

I (3) 1973 - 6%

I (4) 1974 - 6%

Watson
Plaintiff's Exhibit 11A

WATSON EXHIBIT 13

Interrogatories, Answers and Attachments

(Excerpts)

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EXHIBIT 13

INTERROGATORIES AND ANSWERS

13. Enumerate the total household expenses of your decedent, all the people who made their home with him (but excluding your decedent's travel; personal and living expenses while away from home) for the years 1960, 1961 and 1962, stating separately for each year:

(a) If residence was owned:

1. mortgage principal

Ans. $19,700.

First Payment: 2/23/60 - $147.89 monthly.

2. mortgage interest

Ans. 5 3/4% F.H.A. 30 years

(b) If residence was rented:

1. Amount of annual rent paid

Ans. Not applicable

(c) Total amount expended in maintaining the household:

Ans. See attached financial statement for years 1960, 1961 and 1963

(h) If one or more automobiles were used by members of the household, state the number of automobiles used, the name of the owner of each, and the amount spent for insurance premiums, gasoline, oil, repairs and upkeep.

Ans. One (1) car - see attached financial statement for expenses.

14. With respect to the expenditures (other than household expenses covered in your answer to interrogatory 13) of your decedent (excluding his travel, personal and living expenses while away from home) and every person mentioned in your answer to interrogatory 12(a), separately stating for your decedent and each person who made his or her home with your decedent for each of the years 1960, 1961 and 1962 state the amount expended for:

(a-h) Non-household purposes:

Ans. See attached financial statement.

(i) payments made for the support, in whole or in part, of any person who did not make his or her home with your decedent;

Ans. None.

(j) purchase of stock, bonds, securities or other property for investment;

Ans. None.

(k) increase of net balance (measured at the beginning and end of each year) in banks, savings and loan associations credit unions and similar thrift institutions;

Ans. Attached statement.

(l) to the extent not answered in interrogatory 13(h), the amount spent for insurance premiums, gasoline, oil, repairs and upkeep of automobile;

Ans. attached statement

(m) if any expenditure not included in your answer to interrogatory 13 or 14 was made identify each expense and the amount thereof.

Ans. attached statement

15. State, with respect to each person mentioned in your answer to interrogatory 6 but not mentioned in your answer to interrogatory 12(a):

(a) In 1960:

1. How much money did such person receive from your decedent?

Ans. Full support to wife, Halga Watson, to the extent of his income.

2. How much other property did such person receive from your decedent?

Ans. Joint ownership in home, rent house (community property), automobile (joint ownership).

3. What part of the money mentioned in your answer to interrogatory 12(a)(1) was paid to such persons by allotment check?

Ans. On foreign voyages in 1960 during the periods 2/3/60 to 4/16/60, 4/30/60 to 6/3/60,

6/13/60 to 7/22/60 and 9/3/60 to 11/19/60 decedent sent allotment checks of $275 semi-monthly ($550 monthly) and $300 twice monthly ($600 monthly) to wife, Halga Watson.

4. If portions of the money mentioned in your answer to interrogatory 15(a)(1) was received at regular intervals state the interval and the amount received at each interval.

Ans. Each pay period during coastwise trips.

5. If the money mentioned in your answer to interrogatory 15(a)(1) was received in a lump sum or portions were received at irregular intervals state the date of each payment and state whether each payment was received by check, cash or money order.

Ans. Regular intervals by cash.

(b) in 1961:

(1) How much money did such person receive from your decedent?

(2) How much other property did such person receive from your decedent?

(3) What part of the money mentioned in your answer to interrogatory 15(b)(1) was paid to such person by allotment check?

(4) If portions of the money mentioned in your answer to this interrogatory 15(b)(1) was received at regular intervals state the interval and the amount received at each interval.

(5) If the money mentioned in your answer to interrogatory 15(b)(1) was received in a lump sum or portions were received at irregular intervals state the date of each payment and state whether each payment was received by check, cash or money order.

Ans. See answer 15(a). During 1962 decedent was employed aboard the SS Marine Sulphur Queen on coastwise voyages for which no allotments were permitted.

(c) In 1962:

(1) How much money did such person receive from your decedent?

(2) How much other property did such person receive from your decedent?

(3) What part of the money mentioned in your answer to interrogatory 15(c)(1) was paid to such person by allotment check?

(4) If portions of the money mentioned in your answer to this interrogatory 15(c)(1) was received at regular intervals state the interval and the amount received at each interval.

(5) If the money mentioned in your answer to interrogatory 15(c)(1) was received in a lump sum or portions were received at irregular intervals state the date of each payment and state whether each payment was received by check, cash or money order.

Ans. See answer 15(a). During 1962 decedent was employed aboard the SS Marine Sulphus Queen on coastwise voyages for which no allotments were permitted.

16. With respect to your decedent, state:

(a) the date of his birth;

Ans. December 17, 1911

(b) his life expectancy on February 4, 1963;

Ans. 22.06 years.

(c) his work expectancy on that date;

Ans. Minimum of 16 years (to age 67 years)

(d) whether or not he filed a Federal income tax return for each of the following years:

(1) 1960

(2) 1961

(3) 1962

Ans. Yes.

(e) the District Director of Internal Revenue with whom each such return was filed;

Ans. Austin, Texas.

(f) his Social Security number

Ans. 094-14-3083

(g) the total amount of money or other property received from any source, including wages or other earnings, loans, disability benefits, proceeds from the sale of property, net withdrawals from savings (measured at the beginning and end of each year), gifts, bequests and other money or property, whether or not includable in gross income for each of the following years:

(1) 1960

Ans. $12,557.27

(2) 1961

Ans. $17,063.10

(3) 1962

Ans. $17,235.77

(h) With respect to each year mentioned in the preceding interrogatory 16(g) separately state the source and amount of each receipt other than wages or other earnings:

Ans. Rent: 1960, $320; 1961,$560; 1962, $650;
Int. on savings: 1960, $113.70; 1961, $113.39;

1962, $143.77

Diana Stores Corp. dividends: 1960, $43.00; 1961, $43.00; 1962, $17.32

Prudential Ins.: 1960, none; 1961, $51.80; 1962, $59.80

(i) enumerate all of the property in which your decedent had an interest (whether as sole owner, joint tenant, life tenant or otherwise) at the date of his death, identifying each asset, the nature of decedent's interest and the asset's value;

Ans. 1. Home: 6607 Golfcrest Drive, Galveston, Texas, sole owner but community property.

2. Diana Stores Corp. - sole owner.

3. Rent Property: 907 Ave "L" Galveston, Texas - sole owner but community property.

4. 1963 Oldsmobile joint owner w/wife, Halga Watson

5. Cemetery lot Section R, Galveston, Memorial Park, Galveston County, Texas - sole owner.

Value:

1. $22,420.00
2. $ 330.00
3. $ 6,750.00
4. $ 5,200.00
5. $ 300.00

16. (m) the number of days (or parts thereof) which he spent at home in each of the years:

(1) 1960

(2) 1961

(3) 1962

Ans. At home during all vacation time in 1960, 1961, 1962. Exact number of days will have to be computed or estimated.

(n) to the extent not answered in interrogatory 16, the number of days, while on vacation or unemployed, away from home in each of the years:

1. 1960

2. 1961

3. 1962

Ans. When not on vessel, decedent spent time with wife, Halga Watson, at home or away from home in 1960, 1961, 1962. Exact number of days will have to be computed or estimated.

21. If the proceeds of Second Seamen's Insurance were paid to or for the benefit of any person mentioned in your answer to interrogatory 6, state the name of the person who received the proceeds of such insurance and the amount received.

Ans. Second Seamen's Insurance, $5,800.00 received by widow, Halga Watson.

22. If any person mentioned in your answer to interrogatory 6 received death benefits from any pension and welfare plan jointly administered by representatives of employers and employees state with respect to each such person:

(a) his name

Ans. Halga Watson

(b) amount received

Ans. $10,000.00

(c) the name of such pension and welfare plan

Ans. Masters, Mates and Pilots Pension and Welfare Fund.

1960 13C, 14L,

DATE	LIFE Home Medical CAR INS	DR	HOUSEHOLD	FURNITURE	CLOTHES	CAR
JAN.	$ 192 84	$ 170 00	$ 75 00 (RENTS	$ 32 50	$ 43 17	$ 555
FEB	21 20	75 00	213 52	142 03	12 55	454
MAR	198 00	75 00	160 03	32 50		744
APR	110 00		160 03	32 50		345
MAY	311 50		160 03	383 50		29 9
JUNE	110 00		160 03	32 50		2627
JULY	110 00	35 00	160 03	32 50		6814
AUG	237 70		160 03	32 50		5096
SEPT	110 00		160 03	32 50		9201
OCT	110 00		160 03	80 45		50 92
NOV	110 00	12 50	160 03	49 43	36 50	21 50
DEC	110 00	17 00	160 03	98 64	56 81	3598
	$ 1731.24	$ 384.50	$ 1888.82	$ 981.55	$ 149 03	$ 8222

EXPENSE ON RENT PROPERTY, 907 AVE. "L", GALVESTON, TEX

Repairs	$ 11 50
Taxes	134.99
INS	37.11
	$ 183.60

Food + Cigar

APPROXIMATELY

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14M

UTILITIES	MISCELLANEOUS	NEW HOME EXPENSE	INCOME TAX	M.M.P DUES
Gas Lights Water Telephone	Donations Gifts Yard Maintainance Flowers Books Dry Cleaning Beauty Shop, etc.,			
# 48 11	# 57 78	# TITLE 794 75	# 241 15	# 5000
6846	507	Moving 2700		
4500	5513	TV. ANTENNA 5985		
1188	3700	misc 1976		
5398	4686	yard 6100		
1538	3120	PATIO ADDITION 3600		7000
2555	1081	TREES 1200		
5516	3819			
6530	9391			
2637	4737			
3651	10888			
4168	2548			
# 49338	# 557.68	# 1010.36	# 241.15 (1959)	# 120.00

ERROR
30.10 Pd in
1960 HW

INCOME TAX WITH Held and FICA OVERPAYMENT

2 136.01

1000.00

1961 13 C, 14 L, 14

DATE	Life Home Medical INS	DR.	FURNITURE	HOUSEHOLD	CLOTHES	CAR
AN.	$ 110 00	$ 53 00	$ 44 73	160 03	$ 52 48	$ 156 8
eb	178 18		122 40	160 03		84 2
IAR	110 00	70 00		160 03	96 01	116 1
PR	110 00	20 00	400 00	160 03	15 93	103 4
IAY	311 50		130 00 122 98	160 03		186 7
UNE	110 00	63 00	55 00	160 03	29 04	349
ILY	110 00		568 80	160 03	6 73	764
UG	230 15	45 00	161 50	160 03		202 6
EPT	110 00		158 00	160 03	12 95	56 28
CT	110 00		167 90	160 03	36 06	109 5
OV	110 00		50 95	160 03	22 10	87 84
EC	110 00	102 50		160 03		69 79
	$ 1709 83	$ 353 50	$ 1982 26	$ 1920 36	$ 271 30	$ 1285 3

EXPENSE ON RENT PROPERTY, 907 AVE "L", GALVESTON, TEXAS

Repairs	$ 312 06 187 55
Payments on FHA Loan	333 83
Taxes	134 79
INS	32 01
	$ 1000 24

Food and C

APPROXIMATE

Gas
Lights
Water
Telephone

	UTILITIES	Miscellaneous	NEW HOME EXPENSE	INCOME TAX	M.M.P DUES
	$	$	Gutters		
3	5345	6101	$ 2143	$ 3010	$ 40 [redacted]00
2	3328	3513	Paint 1930		
3	4872	11626	Air Conditioner 62500		
4	3628	12777	Screens 1400		6000
2	3418	2500	Roof Fixed 5200		4000
0	5100	5365			
4	3927	3950			
7	4657	1780			
	3487	3220			
9	4638	5522			
	4273	5281			
	3946	10598			
2	$ 51119	$ 72234	$ 92173	$ 30 10 [illegible]	$ 14000
				35.23 HW	

rcome Tax Withheld and FICA over Payment

$ [redacted]

$ 308417

ettes

ly $ 1000.00

1962 13C, 14L, 14M

DATE	LIFE HOME Medical CAR INS	DR.	FURNITURE	HOUSEHOLD	CLOTHES	CAR
JAN	17818		2720	17405	953	11300
Feb	11000	3500	2720	17405	3165	7637
MAR	11000	2500	2720	17405	1098	4905
APR	11000		7133	17405	672	6468
MAY	32050		4666	17405	336	6204
JUNE	11000		4666	17405	344	3020
JULY	11000			17405	5703	1657
AUG	24665			17405		32960
SEPT	11000	8700		17405	3763	6974
OCT	11000	2600		17405		10535
NOV	11000		19745	17405		4783
DEC	11000		6783	17405	5941	10852
	174533	17300	51153	208860	21975	107289

EXPENSE on RENT PROPERTY 907 AVE L, GALVESTON, TEXAS

Repairs	11474
FHA Pmts	57228
TAXES	15957
INS	3201
	87860

Food and Cigarettes
APPROXIMATELY 1,00

Gas
Lights
WATER
Telephone

UTILITIES	Miscellaneous	NEW HOME EXPENSE	INCOME TAX	MMP DUES	MAKING TRANSPORT LINES INC
$ 76 47	40 84	# AIR CONDICN 300 00	# 35 23	# 70 00	ERR. IN
71 61	20 61	25 00			ACCOUNTS
38 25	161 42	300 00			CORRECTE
45 53	38 34	18 00			# 128.62
55 06	56 43				
85 11	131 91				
131 49	41 92				
43 03	24 15				
67 24	44 18				
63 03	67 12				
68 93	41 31				
33 97	27 75				
$ 829 78	# 695 98	# 643 00	# 35 23 ERROR 99.78	# 70 00	# 128.62

INCOME TAX Withheld and FICA Overpayment
3 201 46

ES
00.00

Guaranty Federal Savings & Loan Association

Balance Dec 31 1959		$ 5,755.65	
Balance	1960		Large Withdrawal
Jan. 1		$ 5,755.65	$ 3,255.65 For new home
Dec 31		3,413.77	
	1961		
JAN. 1		3,413.77	
Dec. 31		3,277 16	
	1962		
JAN 1		3,277 16	
		3,67093	

16 G

(1) 1960

WAGES	$ 12,557 27	
Rent Rec'd	320 00 error	(600.00) HW
Bank Interest	113 77	
Stock Dividend	3200	

(2) 1961

Wages + Vacation Pay	$
Rent Rec'd	(60
Bank Interest	
Insurance and	
Stock Dividends	

W. L. Moody + Company Bankers (Checking Account)

Balance	1960	
Jan 1		# 285 63
Dec 31		547 32
	1961	
Jan 1		547 32
Dec 31		590 41
	1962	
Jan 1		590 41
Dec 31		2612 51

(3) 1962

17063 10 error	Wages + Vacation Pay	# 17 235 77
(660 00) HW	Rent Rec'd	(660 00) error 650 00 HW
113 39	Bank Interest + Insurance Int	14 75
83 80	Insurance and Stock Dividend	77 12

WATSON EXHIBIT 14

Watson Personal Ledger Records

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66 Skeware copied from my personal ledger Helga Walton

67

1960

		Credit	Debit
	JANUARY		
		285.63	
JAN	1 ANICO		21.20 ✓
	2 Micheletti		1500 ✓
	5 Tulloch - News		7.45 ✓
	5 Texas Motors		875 ✓
	5 Dr Sachs (Helga)		20.00 ✓
	5 Plantowsky's		9.00 ✓
	5 White House		19.19 ✓
	8 Deposit	2755.65	
	5 Micheletti's		30.00 ✓
	8 Bradshaws		13.04 ✓
	8 Texaco		46.81 ✓
	8 Telephone		32.40
	9 M.M.P		50.00 ✓
	9 Michelletti		1500 ✓
	11 Dr Blades Periodontist (Helga)		150.00 ✓
	12 Sherwin Williams		3.33 ✓
	12 Teenage Shop		2.98 ✓
	12 Micheletti		25.00 ✓
	13 Water Dept		4.90 ✓
	13 Springer Publishing Co - (Gift)		4.75 ✓
	14 Sherwin Williams		3.43 ✓
	14 Micheletti		30.00 ✓
	15 Stewart Title Co		99.75 ✓
	15 Plantowsky's		35.00 ✓
	16 Shook Transfer		27.00 ✓
	16 Peter Sapio 12/15/59 - 1/16/60		27.50 ✓
	17 Maurine (Birthday)		5.00 ✓
	17 Peter Sapio (T.V. Antenna)		59.85 ✓
	19 Plantowsky's		10.14 ✓
	14 Micheletti's		60.00 ✓
	20 Gas Co		5.74 ✓

1960
JAN Continued

JAN	20 Light Co			5.07 ✓
	20 Micheletti			20.00 ✓
	25 Wimberly's Ins (4609 Golfcrest)			101.33 ✓
	26 Readers Digest Book Club			2.49 ✓
	26 Bankers Life + Casualty 2/3/60	2/3/61		70.31 ✓
	29 Plantowsky's			13.19 ✓
	30 Cash			25.00 ✓
	27 Micheletti			20.00 ✓
	27 Plantowskys			34.75 ✓
	27 Kauffman Myers			39.95 ✓
	27 Hart Lumber Co.			8.00 ✓
			3041.28	2053.30
			987.98	

Walton

Mansfield Ex Mgr

1960 February

		Credit	Debit
		987.98	
Feb 1	ANICO		21.20 ✓
4	Dr Blades		75.00 ✓
4	The Shoo Box		13.55 ✓
5	Light Co		4.87 ✓
5	Plantowsky's		32.50 ✓
5	Water Dept		4.30 ✓
5	Faith Farms (Back Yard)		61.00 ✓
6	Income Tax		241.15
7	Texaco		21.67 ✓
7	Readers Digest (Mailing) (Xmas)		2.97 ✓
7	News Tribune (Add for Stove)		2.10 ✓
8	Oberndorfer – Car Plates		23.76 ✓
13	Michelletti		50.00
22	Gas Co		14.88 ✓
22	Deposit	300.00	
23	Telephone		44.41 ✓
23	House note #1		213.52
24	Wimberlys Ins (907L)		37.11
8	Deposit	500.00	
		1787.98	862.59
		925.39	

1960 March

		Credit	Debit
		925.39	
1	ANICO		21.20 ✓
2	Prudential Ins		88.80 ✓
1	Prudential House note #2		160.03
1	Plantowsky's		32.50 ✓
3	Light Co		6.30 ✓
3	Texaco		28.16 ✓
4	Deposit	275.00	
4	Texas Motors		46.25 ✓
4	News – Ad for Stove		.60 ✓
5	Bradshaws		26.66 ✓
11	American Fence Co		180.00
14	Dr Blades Final Pmt		75.00 ✓
18	Deposit	275.00	
18	Permanent		17.00 ✓
18	Telephone		21.29 ✓
21	Gas Co		17.42 ✓
29	Deposit	41.20	
22	Michelletti		25.00
22	Seaside Nursery		14.12 ✓
29	Michelletti		30.00
31	Broadway Cleaners		6.75 ✓
7	Rent – 907L	70.00	
30	Prudential		88.80 ✓
		1586.59	885.88
		700.71	

163a

1960

APRIL		CREDIT	DEBIT
APR		700.71	
1	ANICO		21.20 ✓
1	PRUDENTIAL INS		8880 ✓
1	PRUDENTIAL HOUSE NOTE #3		160.03
1	PLANTOWSKY'S		32.50 ✓
1	Light Co.		6.38 ✓
1	TEXAS MOTORS		9.90 ✓
5	DEPOSIT	275.00	
5	TEXACO		24.67 ✓
9	WATER DEPT		5.50 ✓
11	IDEAL Lumber Co ADDITION TO PATIO		36.00 ✓
11	Micheletti		50.00
12	Jeanne (Consumers Bulletin)		5.00 ✓
14	MRS Clayton C. Porter HOPES DRESS		14.00 ✓
14	Micheletti		50.00
14	Jacquelines Beauty Shop		8.00 ✓
5	Micheletti		25.00
		975.71	536.98
		438.73	

1960

MAY		DEBIT	CREDIT
			438.73
1	ANICO	21.20 ✓	
1	PRUDENTIAL INS	88.80 ✓	
4	PRUDENTIAL HOUSE NOTE #4	160.03	
4	TEXACO	29.96 ✓	
4	TELEPHONE	23.90 ✓	
4	GAS Co.	8.21 ✓	
4	Light Co.	4.92 ✓	
4	READER'S DIGEST BOOKS - 1 yr	9.28 ✓	
4	BRADSHAW'S	15.33 ✓	
4	PLANTOWSKY'S	32.50 ✓	
5	DEPOSIT		900.00
7	MICHELETTI	25.00	X
10	MICHELETTI	30.00	
7	RICHARD BOYT (FOR 907L)	11.50	
7	BRADSHAWS	7.00 ✓	
6	WATOR DEPT	5.80 ✓	
5	HANS GULDMAN PICTURE FRAMES	15.25 ✓	
12	WESTERN & SOUTHERN LIFE INS.	201.50 ✓	
16	DEPOSIT		275.00
18	FINGERS OFFICE SUPPLY	185.00 ✓	
20	TELEPHONE	8.64 ✓	
20	GAS Co	2.58 ✓	
24	MICHELETTI	25.00	
25	FINGERS OFFICE SUPPLY	72.00 ✓	
31	MICHELETTI	50.00	
16	MICHELETTI	30.00	
		1063.40	1613.73
			550.33

1960

JUNE		CREDIT	DEBIT
JUNE		550.33	
	1 ANICO		21.20 ✓
	1 PRUDENTIAL INS		88.80 ✓
	1 PRUDENTIAL HOUSE NOTE #5		160.03
	1 DEPOSIT	275.00	
	1 DEPOSIT (PEKO)	21.00	
	6 PLANTOWSKYS		32.50 ✓
	6 WATER DEPT		9.70 ✓
	6 LIGHT CO		3.88 ✓
	6 J.F. LESTER (NEWS)		3.55 ✓
	6 TEXACO		66.84 ✓
	6 DEPOSIT	700.00	
	7 M.M.P		70.00 ✓
	7 FIRESTONE STORES - TIRES		152.00 ✓
	7 JACQUELINES BEAUTY SHOP		20.00 ✓
	25 BRADSHAWS		7.65 ✓
	8 CASH		400.00
	9 TEXAS MOTORS		43.89 ✓
		1546.33	1080.04
		466.29	

1960

JULY		CREDIT	DEBIT
		466.29	
JULY	1 ANICO		21.20 ✓
	1 PRUDENTIAL INS.		88.80 ✓
	3 PRUDENTIAL HOUSE NOTE #6		160.03
	2 DEPOSIT	308.00	
	3 GAS CO		2.61 ✓
	11 CLAUDE G. GARNER (HALGA)		20.00 ✓
	11 DR. POTTER		15.00 ✓
	10 LIGHT CO.		4.08 ✓
	11 BRADSHAWS		2.56 ✓
	19 TEXACO		68.14 ✓
	19 WATER DEPT		16.30 ✓
	19 W.L. MOODY - DEPOSIT BOX		8.25 ✓
	DEPOSIT	300.00	
	5 PLANTOWSKY'S		32.50 ✓
		1074.29	466.12
		608.17	

1960

August

		Credit	Debit
Aug		6.08.17	
1	ANICO		21.20 ✓
1	PRUDENTIAL INS		88.80 ✓
2	PRUDENTIAL HOUSE NOTE #7		160.03
2	PLANTOWSKY'S		32.50 ✓
2	TELEPHONE		6.46 ✓
2	GAS CO.		1.50 ✓
2	SIS - FLOWERS FOR HOB		10.00 ✓
2	DEPOSIT	650.00	
2	FAITH FARMS - 4 TREES		12.00 ✓
3	TEXACO		50.96 ✓
3	LIGHT CO		2.05 ✓
3	SEARCY'S T.V & RADIO		10.59 ✓
4	WATER DEPT		13.00 ✓
8	MICHELETTI		25.00
15	ALLSTATE		127.70 ✓
13	ROBERT NELSON		600.00
15	DEPOSIT	105.0.00	
18	JAQUELINES BEAUTY SHOP		17.50 ✓
19	TELEPHONE		29.65 ✓
11	MICHELETTI		25.00
3	RENT - 907 L	50.00	
20	GAS CO		2.50 ✓
23	MICHELETTI		120.00
		2258.17	1381.44
		901.73	

1960

September

		Credit	Debit
Sept		901.73	
21	ANICO		21.20 ✓
28	PRUDENTIAL INS		88.80 ✓
7	PRUDENTIAL HOUSE NOTE #8		160.03
7	WATER DEPT		10.60 ✓
7	LIGHT CO		4.92 ✓
7	TEXACO		78.38 ✓
7	PLANTOWSKYS		32.50 ✓
7	TEXAS MOTORS		13.63 ✓
7	PLUMMER		35.00 ✓
8	DEPOSIT	500.00	
18	SIS (LOAN)		250.00
21	GAS CO		1.56 ✓
21	TELEPHONE		48.22 ✓
21	READERS DIGEST - XMAS		8.91 ✓
12	DEPOSIT - RENT - 907 L	50.00	
12	DEPOSIT	300.00	
22	MICHELETTI		25.00
24	DORIS SMALL - DAD'S TV		50.00 ✓
30	MICHELETTI		50.00
		1751.73	878.75
		872.98	

1960

OCTOBER	CREDIT	DEBIT
OCT	872.98	
21. ANICO		21.20 ✓
28. PRUDENTIAL INS.		88.80 ✓
3 PRUDENTIAL HOUSE NOTE #9		160.03
3. DEPOSIT	308.00	
3. PLANTOWSKYS		32.50 ✓
3. Light Co		3.69 ✓
3 KAUFFMAN MYERS		47.95 ✓
7 NEWS- JUNE 17 - OCT 17		6.30 ✓
7. TEXAS MOTORS		5.50 ✓
7. BRADSHAWS		21.77 ✓
7. TEXACO		43.42 ✓
7. WATER DEPT		13.60 ✓
7. DRIVERS LICENSE		2.00 ✓
8. STATE-COUNTY-TAX-POLL TAX (907L)		27.57
11 MICHELETTI		25.00
17. CASH		50.00
19 OVERSEAS MAILMAN (SPOONS)		1.00 ✓
19. TELEPHONE		7.54 ✓
19. DEPOSIT	357.00	
3. TAXES - 907L		110.92
14. RENT - 907L	50.00	
21. GAS Co.		1.56 ✓
21. CURTIS CIRCULATION CO (2 yrs - LADIES HOME JOURNAL)		6.00 ✓
24. Deposit - SIS Returned Loan	25.00	
29. BROADWAY CLEANERS		7.30 ✓
29. MICHELETTI		30.00
27. Hope's BIRTHDAY		5.00 ✓
	1837.98	718.63
	1124.35	

1960

NOVEMBER	CREDIT	DEBIT
NOV	1119.35	
21. ANICO		21.20 ✓
28. PRUDENTIAL INS		88.80 ✓
2. PRUDENTIAL HOUSE NOTE #10		160.03
2. PLANTOWSKY'S ACCT #2254		32.50 ✓
2. PLANTOWSKY'S " 3844		16.93 ✓
2. Light Co		4.29 ✓
2. DR. LEFEBER		12.50 ✓
2. SEARCY		8.84 ✓
2. EIBAND'S - XMAS CARDS		7.20 ✓
3 MICHELETTI'S		30.00
7. TEXACO		10.26 ✓
7. TEXAS MOTORS		11.30 ✓
7. IDEAL LUMBER CO		1.95 ✓
7. WATER DEPT		7.00 ✓
7 FATHER FLANAGAN'S - XMAS		2.00 ✓
10. NATHAN'S - FUR STORAGE		36.50 ✓
12 MICHELETTI		50.00
11 JAQUELINE'S BEAUTY SHOP		25.00 ✓
15 CASH		50.00
15. Jed SENACK - DAD'S ANTENNA		57.37 ✓
16. M.R. JOHNSTON - CASH		50.00
30. T.B. XMAS SEALS		2.00 ✓
30. TELEPHONE		21.40 ✓
30. GAS Co		3.82 ✓
30. EIBANDS		4.52 ✓
30. DEPOSIT	1300.00	
4. Deposit - RENT - 907L	50.00	
	2469.35	715.41
	1753.94	

172a

1960

DECEMBER		CREDIT	DEBIT
DEC		1753.94	
	21. ANICO		2120.
	28. PRUDENTIAL INS		8880.
	1. PRUDENTIAL HOUSE NOTE #11		16003
	1 PLANTOWSKY'S		3250 ✓
	1 DR EGGERS		1000 ✓
	1 PLANTOWSKYS		6614 ✓
	6 CASH		20000
	6 Light Co		471 ✓
	6 WATER DEPT		310 ✓
	6 TEXACO		2598 ✓
	6 DR McREYNOLDS		700 ✓
	10 CAPT FANNING - LOAN		20000
	13 CASH		120000
	5 Deposit Rent 907L	50.00	
	20 TELEPHONE		2855 ✓
	21 GAS Co.		532
	21 SAKOWITZ		1086 ✓
	21 R.C.A RADIOGRAM		251 ✓
	21 READERS DIGEST (1961 sub)		297
	21 CHAMBERS - YARDMAN		1600
	21 NATHAN'S -		4595 ✓
	22 FIRESTONE - TIRES ROTATED		1000 ✓
	22 Guy - XMAS		500
	24 MICHELETTI (CASH)		7500
	31 MICHELETTI		3500
		1803.94	125662
		547.32	

173a

17-1a

1961

JAN	JANUARY	CREDIT	DEBIT	
		547.32		
21	ANICO		21.20 ✓	
28	PRUDENTIAL INS		88.80 ✓	
1	PRUDENTIAL HOUSE NOTE #12		160.03 ✓	
2	PLANTOWSKY'S		5.49 ✓	
2	PLANTOWSKY'S		39.24 ✓	
2	SEABCY'S T.V. REPAIR		19.86 ✓	
2	DR LAINE		53.00 ✓	
3	Deposit	130.00		
3	MICHELETTI		20.00	
4	TEXAS MOTORS		41.00 ✓	
5	Light Co		6.38 ✓	
5	NEWS - OCT 17 - JAN 17-61		5.40 ✓	
5	Geo License		2.00 ✓	
6	TEXACO		115.83 ✓	
7	IDEAL LUMBER & GUTTERS		211.43 ✓	
7	MICHELETTI		50.00	
8	WHITE HOUSE		52.48 ✓	
8	BRADSHAWS		33.75 ✓	
10	Bill Johnson - Steps 907L		54.00	
12	MICHELETTI (CASH)		200.00	
12	WATER Dept		3.70 ✓	
16	M M & P Dues		40.00 ✓	
28	GAS Co		17.24 ✓	
28	TELEPHONE Co		26.13 ✓	
30	Deposit	334.54		
10	RENT - 907L	50.00		
		223.86	1266.96	
		964.90		

1961

FEB	FEBRUARY	CREDIT	DEBIT	
		964.90		
21	ANICO		21.20 ✓	
28	PRUDENTIAL INS		88.80 ✓	
1	PRUDENTIAL HOUSE NOTE #13		160.03 ✓	
1	PLANTOWSKY'S - FINAL PMT		44.95 ✓	
11	NATIONAL INS - 907L		32.01	
11	TEXAS MOTORS		11.70 ✓	
11	Light Co		7.47 ✓	
11	TEXACO		49.26 ✓	
24	BRADSHAW'S		5.75 ✓	
24	BANKERS LIFE & CASUALTY (Feb 3-61 - Feb 3-62)		68.18 ✓	
24	GAS Co		12.84 ✓	
15	Deposit	40.00		
3	RENT - 907L	50.00		
24	WATER Dept.		3.40 ✓	
24	Telephone Co		9.58 ✓	
25	POLAROID Copy Service		4.38 ✓	
27	PLANTOWSKY'S FINAL PMT		77.45 ✓	
27	OBendoffer (CAR PLATES)		23.76 ✓	
13	DAN ESPOSITA (CASH)		25.00 ✓	
		1414.90	645.76	
		769.14		

175a

1961 MARCH		CREDIT	DEBIT
		769.14	
21	ANICO		21.20 ✓
28	PRUDENTIAL INS.		88.80 ✓
4	PRUDENTIAL NOTE #14		160.03 ✓
3	Jaqueline's Beauty Shop		19.50
3	Polaroid Copy Service		.75
4	CASH		25.00
4	Light Co.		2.86 ✓
4	TEXACO		44.32 ✓
4	TEXAS MOTORS		61.81 ✓
9	Deposit	1550.00	
10	WATER Dept		4.00 ✓
10	Heath Co. RADIOS		108.54 ✓
14	CASH		120.00
3	Deposit Rent 907 L	50.00	
18	CATHERINE COURTNEY CASH		100.00
23	GAS Co		8.14 ✓
23	Phone Co		33.72 ✓
23	Deposit	2439.97	
25	MICHELETTI (CASH)		50.00
27	INTERNAL REVENUE		30.10 ✓
28	EIBANDS		6.21
28	DR Cowin		45.00 ✓
29	NATHANS		89.80 ✓
30	SEASIDE NURSERY		13.19 ✓
30	FIRESTONE		10.00 ✓
31	DR Suehs		25.00 ✓
31	MICHELETTI (CASH)		50.00
31	CASH		700.00
		4809.11	1799.97
		3011.14	

1961 APRIL		CREDIT	DEBIT
AIR		3011.14	
21	ANICO		21.20 ✓
28	PRUDENTIAL		88.80 ✓
1	M.M.I.P		60.00 ✓
2	PRUDENTIAL NOTE #15		160.03 ✓
2	Light Co		4.74 ✓
2	DR BLADES		20.00 ✓
2	WATER Dept		5.20 ✓
2	White House		15.93 ✓
2	BRADSHAWS		37.79 ✓
10	JACK (RADIO WORK)		30.00 ✓
12	TEXAS MOTORS		8.80 ✓
12	Ideal Lumber (Paint Gutters)		19.30 ✓
12	TEXACO		93.64 ✓
14	EASTMAN KODAK		.65 ✓
14	PHANTOWSKYS		400.00 ✓
15	JACK WATSON AIR CONDITIONER		25.00 ✓
17	GROVER Birthday		5.00 ✓
18	Telephone		21.96 ✓
20	GUARANTY SAVINGS		1000.00
20	Deposit	250.00	
7	Rent 907 L	50.00	
20	HAHN Photo Center		7.05 ✓
20	GAS Co		4.38 ✓
20	Readers Digest Book Summer Edition (PD up Till 1962)		12.45 ✓
29	SEARS		11.03 ✓
29	POLAROID		.50 ✓
		3011.14	2051.75
		1259.39	

1754

1961 MAY		CREDIT	DEBIT	
MAY		1259.34		
	21. ANICO		21 20 ✓	
	28. PRUDENTIAL		88 80 ✓	
	4. PRUDENTIAL NOTE #16		160 03 ✓	
	4. PLANTOWSKY'S		67 48 ✓	
	5. TEXACO		78 12 ✓	
	5. TEXAS MOTORS		108 60 ✓	
	5. LIGHT CO.		54 38 ✓	
	5. BRADSHAWS		19 42	
	6. WATER DEPT		8 20 ✓	
	6. BEN BELCIK NEW ELECTROLUX		30 00 ✓	
	8. JACQUELINES		25 00 ✓	
	12. R.A. ANDERSEN - 907L		187 55	
	12. DEPOSIT	550 00		
	17. DEPOSIT	650 00		
	5. RENT 907L	50 00		
	22. TELEPHONE		22 06 ✓	
	22. GAS CO		3 44 ✓	
	22. WEST & SOUTHERN LIFE INS CO.		201 50 ✓	
	25. ELECTROLUX IN FULL		100 00 ✓	
	25. PLANTOWSKY'S		55 00 ✓	
	25. CASH		150 00	
		2539 39	1332 38	
		1177 01		

1961 JUNE		CREDIT	DEBIT	
JUNE		1177 01		
	21. ANICO		21 20 ✓	
	28. PRUDENTIAL		88 80 ✓	
	1. PRUDENTIAL NOTE #17		160 03 ✓	
	1. FIRST HUTCHINGS SEALY #1 907L		47 69	
	1. DR CHARLES LAINE (CEO)		20 00 ✓	
	1. DR WILLIAM PETTICK (CEO)		15 00 ✓	
	1. WATER DEPT		10 60 ✓	
	1. GALVESTON NEWS JAN 17 to JUNE 17		6 75 ✓	
	1. TEXAS MOTORS		14 00 ✓	
	1. CLAUDE E. GRENCK (CEO)		28 00 ✓	
	1. WHITE HOUSE		29 04 ✓	
	3. LIGHT CO		5 32 ✓	
	5. TEXACO		20 90 ✓	
	5. BRADSHAWS		12 90 ✓	
	7. CHAMBERS		8 00 ✓	
	10. MICHELETTI (CASH)		50 00 ✓	
	21. DEPOSIT	1200 00		
	5. RENT 907L	60 00		
	21. TELEPHONE		32 58 ✓	
	21. GAS CO		2 50 ✓	
	21. CHAMBERS		16 00 ✓	
	28. PLANTOWSKY'S		55 00 ✓	
	10. DAD		100 00 ✓	
		2437 01	654 31	
		1782 70		

1961

	July		Credit	Debit
July			1782.70	
	21	ANICO		21.20 ✓
	28	PRUDENTIAL		88.80 ✓
	1	PRUDENTIAL NOTE #18		160.03 ✓
	1	F.H.A. #2		47.69
	1	H.E. HARRIS & Co - STAMPS		3.90 ✓
	10	TEXACO		60.54 ✓
	10	TEXAS MOTORS		5.90 ✓
	10	NATHANS		6.73 ✓
	10	W. L. Moody Deposit Box		8.25 ✓
	10	LAKEVIEW FLORISTS		7.25 ✓
	10	WATER Dept		10.60 ✓
	10	Light Co		4.74 ✓
	10	Deposit	608.00	
	10	PLANTOWSKY'S		568.50 ✓
	17	JACQUELINE'S		7.00 ✓
	18	CASH		25.00
	18	MARINE TRANSPORT LINES		32.14
	21	Telephone		21.43 ✓
	21	GAS Co		2.50
	3	RENT 907 L	60.00	
	23	Guy Birthday		5.00 ✓
	25	FIRESTONE		10.00 ✓
	28	CHAMBERS		9.00 ✓
	24	CASH		25.00
			2442.70	1120.60
			1320.10	

1961

	August		Credit	Debit
Aug			1320.10	
	21	ANICO		21.20 ✓
	28	PRUDENTIAL		88.80 ✓
	2	PRUDENTIAL NOTE #19		160.03 ✓
	2	FHA NOTE #3		47.69
	2	DR CHARLES HAINE (HEALTH)		45.00 ✓
	2	PLANTOWSKY'S		161.50 ✓
	2	H.E. HARRIS STAMPS		1.50 ✓
	2	Light Co		4.74 ✓
	3	TEXACO		31.29 ✓
	4	TEXAS MOTORS		17.10 ✓
	4	WATER Dept		9.10 ✓
	8	ALLSTATE 9/5/61 - 9/5/62		120.15 ✓
	17	CHAMBERS		16.00 ✓
	17	CASH		100.00 ✓
	2	Deposit	600.00 ✓	
	23	Telephone		32.73 ✓
	23	Deposit	900.00 ✓	
	4	Rent 907 L	60.00	
	31	Neville's Service Sta - 4 Tires		154.25 ✓
		CASH		25.00 ✓
			2190.10	1036.38
			1868.72	

178a

1961

September		Credit	Debit	Cet
Sept		1868.72		
21	ANICO		21.20	✓
28	Prudential		8.80	✓
6	Prudential Note #20		160.03	✓
6	FHA Note #4		47.69	
5	Cash		75.00	✓
6	Plantowsky's		150.00	✓
8	Rent 907L	60.00		
24	NATHANS		12.95	✓
24	BRADSHAWS		15.59	✓
24	Plantowsky's Acct 3644 Infill		8.00	✓
26	Telephone		12.93	✓
26	Texaco		56.25	✓
26	Light Co		6.16	✓
26	Gas Co		1.73	✓
26	Water Co		7.90	✓
27	H E Harris Sthnrs		1.10	✓
27	Readers Digest 3 Xmas Gifts		4.91	✓
27	Polaroid		6.60	✓
30	Water Dept		7.80	✓
30	Light Co.		3.35	✓
		1928.72	687.22	
		1241.50		

1961

October		Credit	Debit	
		1241.50		
21	ANICO		21.20	✓
28	Prudential		8.80	✓
5	Dad Birthday		10.00	✓
5	Texaco		18.44	✓
3	Polaroid		.60	✓
5	Prudential Note #21		160.03	✓
5	F.H.A Note #5		47.69	
5	Bradshaws		7.50	✓
6	Rent 907L	60		
9	Plantowsky's		167.40	✓
9	M.I.P		4.00	✓
4	Deposit	1708.00		
10	Huntsville Tribune Reduc.		8.50	✓
13	Cash		100.00	✓
20	Chambers		8.00	✓
20	Deposit	1058.96		
23	Gas Co		3.18	✓
23	Telephone		37.30	✓
25	H E. Harris Sthnrs		12.25	✓
26	Haney Refrigeration Co		33.50	✓
26	State & County Taxes 907L		27.30	
26	Texas Motors		31.15	✓
26	City-School-Nav. Taxes 907L		110.93	
27	Readers Digest Renewals		2.97	✓
29	Light Co		5.90	✓
29	Eubanks		18.06	✓
29	NATHANS		25.00	✓
29	Hope Birthday		5.00	
		4118.46	1346.16	
		2772.30		

173a

1961 November

		Credit	Debit
Nov		277230	
21	ANICO		2120 ✓
28	Prudential		8850 ✓
2	Prudential note #22		16003 ✓
3	Bradshaws		3028 ✓
3	Texas Motors		1735 ✓
3	Texaco		7049 ✓
3	Water Dept		1030 ✓
3	J. Lester Newspaper		597 ✓
3	FHA note #6 907L		4769
3	Deposit	15260	
4	Father Finnagen		200 ✓
6	R.A. Ransen (Screens) 6609		1400 ✓
6	Rent 907L	6000	
7	Farley's Boys Ranch		200
10	Kavanaughs Typewriter		10000
14	T B Assoc		200 ✓
14	Deposit	23904	
18	Telephone		2796 ✓
18	Gas Co		447 ✓
18	Plantowsky's Ceo Radio		5095 ✓
20	Berenice (Flowers)		110 ✓
21	V. Chamberlain - Stamp Album		1000 ✓
22	Cash		20000 ✓
24	H.E. Harris Stamps		146 ✓
24	Cash		15000 ✓
29	Eibands		2538 ✓
29	Nathans		632 ✓
		322394	105015
		217379	

1961 December

		Credit	Debit
		217379	
Dec			
21	ANICO		2120 ✓
28	PRUDENTIAL		8850 ✓
2	PRUDENTIAL NOTE #23		16003 ✓
2	Light Co		693 ✓
2	De Suchs		2750 ✓
2	FHA note #7 907L		4769
4	Haney Refrigeration		20000 ✓
5	Galveston Roofing Co - 9074		39600
5	Galveston Roofing Co - 6609		5200 ✓
5	Pill Bulion Earrings		2370 ✓
6	Cash		25000 ✓
6	H M Pharmacy - Ceo		1755 ✓
6	Texaco		2929 ✓
14	DAD - Christmas		2500 ✓
18	Foley's		2537 ✓
18	WATER Dept		670 ✓
8	Rent 907L	5000	
19	Gas Co		734 ✓
20	Texas Motors		4050 ✓
20	Telephone		1869 ✓
27	De Gewin		7500 ✓
19	Guy Kmas		500 ✓
19	Hope		500 ✓
19	Mahring		500 ✓
		223379	163356
		59041	

1962

JANUARY

180a	JAN		590 41	
		21 AMICO		21.20 ✓
		28 PRUDENTIAL		88.80 ✓
		5 PRUDENTIAL NOTE #24		174.05 ✓
		5 F.H.A NOTE #8		47.69
		5 HANCY Refrigeration		300.00 ✓
		5 NATIONAL AUTO CASUALTY 907L		32.01
		5 TEXACO		96.17 ✓
		5 TEXAS MOTORS		16.83 ✓
		5 Light Co		6.52 ✓
		5 Elbands		9.53 ✓
		5 H.E HARRIS STAMPS		2.95
		5 Deposit	90.80 ✓	
		5 Rent 907L	50.00	
		6 WATER		7.00 ✓
		6 PLANTOWSKY'S #3844		27.20 ✓
		6 BRADSHAWS		20.84 ✓
		14 Foley's		10.00 ✓
		15 CASH		50.00 ✓
		17 M.R JOHNSTON - Telephone		10.40 ✓
		19 GAS Co		18.44 ✓
		19 Telephone		34.11 ✓
		26 JACQUELINES		10.00 ✓
		27 RANKERS Life & CASUALTY		68.18 ✓
			1548 23	1051 92
			496 31	

1962 FEBRUARY

		Credit	Debit
Feb		496.31	
21	ANICO		21.20
28	PRUDENTIAL		88.80
2	Deposit	800.00	
3	PRUDENTIAL #25		174.05
3	FHA #9		47.69
3	HANCY REFIGERATION		300.00
3	PLANTOWSKY'S		27.20
3	EIBANDS		6.73
3	NATHANS		24.92
3	Light Co		10.36
3	Dr POTTER (HALCA)		15.00
3	Mr. GARNER		20.00
4	TEXACO		52.61
4	WATER Dept		4.90
12	CASH		50.00
15	BRADSHAW'S		4.57
15	Ideal Lumber Co (BANK soil)		2.50
15	POLAROID		2.85
15	HE HARRIS STAMPS		3.25
16	GAS Co.		18.66
5	RENT 907 W	50.00	
15	Foley's		10.00
19	CAR PLATES		23.76
21	Telephone		37.69
26	INTERNAL REVENUE		35.23
		1346.31	1004.53
		341.78	

1962 MARCH

		Credit	Debit
MAR		341.78	
21	ANICO		21.20
28	PRUDENTIAL		88.80
1	Deposit	713.00	
2	PRUDENTIAL #26		174.05
2	FHA #10		47.69
2	Light Co		5.45
2	PLANTOWSKY'S - FINAL PMT		27.20
2	M. CHOUKE PLUMBING		26.81
2	J.F. LESTER NEWS 11/11 - 3/17		5.97
2	SEASIDE NURSERY		7.99
2	SEARCY		8.96
2	DUNCAN BLADES		25.00
6	ALTEX NURSERY (4 JUNIPER)		18.00
6	TEXAS MOTORS		1.75
7	TEXACO		47.30
5	RENT 907 W	50.00	
9	HOWARD CHAMBERS		15.00
9	WATER Dept		5.20
9	Foley's FINAL PMT		53.83
18	Telephone		16.42
21	GAS Co		11.18
21	H E HARRIS STAMPS		3.85
23	HOWARD CHAMBERS		8.00
24	MAURICE Cleaners		3.05
24	BRADSHAW'S		27.96
29	EIBANDS		10.98
		1104.78	661.64
		443.14	

151a

1962
APRIL

		Credit	Debit
APR			443.14
	21. ANICO		21.20 ✓
	28 Prudential		8.80 ✓
	5. Rent 907L		60.00
	6 Prudential #27		174.05 ✓
	6 FHA #11		47.69
	6 Howard Chambers		8.00 ✓
	6 Scusioc Nursery		5.19 ✓
	6 Light Co		5.08 ✓
	6 Water Dept		8.50 ✓
	6 Texaco		55.43 ✓
	7 Jacqueline's		5.00 ✓
	8 Jamestown Stamps		3.00 ✓
	9 Deposit	1000.00	
	9 H.E. Harris Stamps		1.25
	10 B. Belcik 1st Pmt on Water		46.66 ✓
	11 Texas Motors		9.25 ✓
	12 Holiday Camera Club		4.35 ✓
	21 Gas Co		7.34 ✓
	21 Telephone		24.67 ✓
	21 Littleton Stamp Co		.35 ✓
	21 Readers Digest B/C		11.20 ✓
	24 Cash		25.00 ✓
	28 Piantowsky's		24.67 ✓
	28 Eibands		6.72 ✓
		1493.14	583.42
		909.72	

MAY

		Credit	Debit
			909.72
	21 ANICO		21.20 ✓
	28 Prudential		8.80 ✓
	3 Prudential #28		174.05 ✓
	3 FHA #12		47.69
	3 B. Belcik Pmt #2		46.66 ✓
	3 Light Co		5.61 ✓
	3 Scarry's		10.03 ✓
	3 Island Civic Assoc 2/1/62 1/6/63		6.00 ✓
	5 Water Dept		9.10 ✓
	5 Texas Motors		14.25 ✓
	5 Texaco		47.79 ✓
	4 Rent 907L	50.00	
	11 H.E. Harris Stamps		1.95 ✓
	11 Bradshaws		7.31 ✓
	12 Jacquelines		17.00 ✓
	15 Deposit	1200.00	
	16 Jamestown Stamp Co		3.15 ✓
	16 Littleton Stamp Co		2.00 ✓
	17 Telephone		26.79 ✓
	20 Gas Co		3.57 ✓
	21 Western & Southern Life Ins 4/10/62 - 4/10/63		201.52 ✓
	26 Scusioc Nursery		8.99 ✓
	30 Light Co		10.05 ✓
	30 Eibands		3.36 ✓
		2159.72	765.79
		1393.93	

182a

98

183a

1962
JUNE

		Credit	Debit
June		1393.93	
21	ANICO		21.20 ✓
28	Prudential		88.80 ✓
1	Prudential #29		17405 ✓
1	FHA #13		47.69
1	B Belcik Final Pmt		46.66 ✓
1	HE HARRIS STAMPS		285 ✓
1	CASH		60.00 ✓
5	Jim Vasey (CASH)		50.00 ✓
5	EASTERN AIR LINES		11176 ✓
7	TEXACO		30.21 ✓
7	WATER Dept		13.60 ✓
11	E.P. Bouchard (CASH)		200.00 ✓
5	Rent 907L	50.00	
18	Deposit	188.169 ✓	
18	M.M.P Dyes		70.00 ✓
20	CASH		75.00 ✓
22	Gas Co		1.59 ✓
22	Telephone		51.52 ✓
23	JAMESTOWN STAMPS		3.75 ✓
23	FALCON STAMPS		1.98 ✓
23	LITTLETON STAMPS		8.62 ✓
23	FRED HARVEY Res. office		7.00 ✓
23	H.E. HARRIS STAMPS		1.50 ✓
23	HARRIS Collectors Club		2.45 ✓
28	Light Co		18.40 ✓
28	EIBANDS		3.44 ✓
29	Deposit	164.075 ✓	
		497637	107407
		390230	

99

1962
July

		Credit	Debit
July		390230	
21	ANICO		21.20 ✓
28	Prudential		88.80 ✓
1	Prudential #30		17405 ✓
1	FHA #14		47.69
1	WATER Dept		7.60 ✓
1	Lester News 3/19 - 7/19		6.43 ✓
2	CASH		1300.00 ✓
8	STARDUST MOTEL		10.00 ✓
20	E.P. Bouchard - Jimmy		5.00 ✓
22	TEXACO		16.52 ✓
22	Western Skies Motel		1.62 ✓
22	Gas Co		1.59 ✓
22	W.L. Moody - Box Rent		8.25 ✓
22	Telephone		78.23 ✓
24	EPILepsy Foundation		1.00 ✓
28	Light Co		29.87 ✓
28	NATHAN'S		27.16 ✓
28	EIBANDS		24.57 ✓
28	Seaside Nursery		5.17 ✓
30	JAMESTOWN STAMPS		2.55 ✓
30	H.E. HARRIS STAMPS		2.90 ✓
31	WATER Dept		14.20 ✓
		390230	187340
		202890	

1962 AUGUST

		Debit	Credit
Aug		2028.90	
	21 ANICO		21.20 ✓
	28 PRUDENTIAL		88.80 ✓
	2 PRUDENTIAL #31		174.05 ✓
	2 FHA #15		47.69
	2 MARINE MIDLAND (DIANA STOCK)		5.22 ✓
	6 TEXACO		122.81 ✓
	7 TEXAS MOTORS		206.79 ✓
	10 CHAMBERS (907 L-TREE)		35.00
	3 RENT 907 L	50.00	
	9 RENT 907 L	50.00	
	17 ALLSTATE 9/5/62-9/5/63		146.65 ✓
	17 JAMESTOWN STAMPS		2.95 ✓
	18 GAS CO		1.59 ✓
	18 TELEPHONE		28.94
	25 H.E HARRIS STAMPS		2.50 ✓
	25 READERS DIGEST RENEWAL 4 YRS.		11.88 ✓
	25 POLAROID COPY SERVICE		1.60 ✓
	27 LIGHT CO		31.50 ✓
	31 WATER CO		31.00 ✓
		2128.90	960.17
		1168.73	

1962 SEPTEMBER

		Credit	Debit
Sept		1168.73	
	21 ANICO		21.20 ✓
	28 PRUDENTIAL		88.80 ✓
	2 PRUDENTIAL #32		174.05 ✓
	2 FHA #16		47.69
	1 DE BLADES		20.00 ✓
	2 DE LAINE		67.00 ✓
	2 EIBANDS		37.63 ✓
	2 SEASIDE NURSERY		20.39 ✓
	12 FOLEY'S		9.86 ✓
	12 TEXACO		65.55 ✓
	12 TEXAS MOTORS		.92 ✓
	12 JAMESTOWN STAMP CO		1.10 ✓
	7 RENT 907 L	50.00	
	19 MRS EMIL G. LEGE (LUNCH)		5.75 ✓
	26 H.E. HARRIS STAMPS		2.30 ✓
	26 DRIVERS LICENSE		3.00 ✓
	26 GAS CO		1.59 ✓
	26 TELEPHONE		34.81 ✓
	26 LIGHT CO		30.54 ✓
	26 FOLEYS		4.78 ✓
		1218.73	637.26
		581.47	

1962
OCTOBER

		Credit	Debit
OCT		581.47	
21	ANICO		21.20 ✓
28	Prudential		88.80 ✓
5	Deposit	1704.13 ✓	
6	Prudential #33		174.05 ✓
6	FHA #17		47.69
6	Dr Suchs		26.00 ✓
6	J.F. Lester 7/19 - 10/19		4.18 ✓
6	Water Dept		10.00 ✓
6	Texaco		51.64 ✓
6	Foley's		11.55 ✓
8	School-Nav-City Tax (907L)		133.47
8	County Tax + Poll Tax		25.60
8	Guaranty Fed Savings		200.00 ✓
9	Dad Birthday		25.00 ✓
11	Texas Motors		31.99 ✓
13	Jack Robinson (Jack's Furn)		13.00 ✓
16	Jamestown Stamps		2.29 ✓
16	H.E. Harris Stamps		2.40 ✓
5	Rent 907L	50	
23	Telephone		29.78 ✓
23	Gas Co		1.89 ✓
23	Bradshaw's		8.30 ✓
26	Lone Star Garage		22.32 ✓
26	Light Co		21.66 ✓
27	Supt of Documents		.40 ✓
30	Deposit	500.00 ✓	
		2835.60	956.31
		1879.29	

1962
NOVEMBER

		Credit	Debit
NOV		1879.29	
21	ANICO		21.20 ✓
28	Prudential		88.80 ✓
1	Prudential #34		174.05 ✓
1	FHA #18		47.69
1	Plantowsky's Drapes in full		197.45 ✓
1	Searcy's		26.27 ✓
1	Nathan's		6.67 ✓
3	Texaco		45.33 ✓
3	Texas Motors		2.50 ✓
3	Water Dept		12.70 ✓
6	Fawley's Boys Ranch		2.00 ✓
9	T.B. Seals		3.00 ✓
19	Father Flanagans Boystown		2.00 ✓
10	Marine Transport Lines		128.62 ✓
2	Rent 907L	50.00	
20	H.E. Harris Stamps		3.40 ✓
20	Telephone		43.31 ✓
6	Foley's		4.64 ✓
24	Nathan's		31.57 ✓
24	Gas Co		2.55 ✓
26	Cash		25.00 ✓
29	Deposit	1500.00 ✓	
30	Light Co		10.34 ✓
30	Eibands		21.17 ✓
30	Seaside Pharmacy		
		3429.29	905.86
		2523.43	

1962

DECEMBER

		Credit	Debit
Dec		2523.43	
	21. ANICO		21.20 ✓
	28. Prudential		88.80 ✓
	2. Prudential #35		17405 ✓
	2 FHA #19		47.69
	2 WATER Dept		5.75 ✓
	5 TEXACO		36.77 ✓
	10. DAD XMAS	✓	2500 ✓
	11. Deposit	100989 ✓	
	12 CASH		20000 ✓
	13 H.E. HARRIS STAMPS		2.75 ✓
	18. CASH		20000 ✓
	19. GAS Co		8.30 ✓
	19. Telephone		19.92 ✓
	7. Rent 907 L	50.00	
	21 Coleman Oldsmobile		72.75 ✓
	28. PLANTOWSKYS		67.83 ✓
		358332	97081
		261251	

1954

1963

JANUARY

			Credit	Debit	
JAN			261251		
	21	ANICO		2120	
	28	Prudential		8880	
	1	Prulential #36		17405	
	1	FHA #20		4769	
	1	Seasile		2813	
	1	Eibands		1423	
	6	Texaco		5420	
	6	National Auto & Ca. Co IAS-907		3201	
	6	Light Co		820	
	6	Nathan's		3616	
	6	Bradshaws		681	
	6	J.F. Lester News 19.7 1/17		551	
	8	M.M.P Dues		7000	
	14	Geo Cash		20000	
	14	Flood & Calvert Insulation		2654	
	15	Water Dept		455	
	15	Allstate Ins		2860	
	15	Jamestown Stamps		625	
	15	Foleys		121	
	15	American Society Philatilist		170	
	17	Gas Co		1376	
	17	Telephone		4725	
	4	Rent 907 L	5000		
	2	Check #296		20000	
	23	Cash		15000	
			266251	126684	
			139567		

FEBRUARY

			Credit	Debit	
Feb			139567		
	21	ANICO			2120
	28	Prudential			8880
	1	W. L. Moody CAR NOTE #1			14400
	5	Prudential House NOTE #37			17405
	5	FHA #21			4769
	5	Searcy's			6152
	5	Nathan's			2118
	5	Dr Gewin			4500
	5	Dr Potter			1500
	5	Clause Garner			2000
	5	Dr Laine			6500
	5	Light Co			1050
	5	Water Dept			425
	5	St. Marys Auxiliary			400
	5	H. E. Harris			345
	7	Texaco			6349
	13	Bankers Life Casualty			6815
	19	John R. Platte Probate will			5000
	20	Gas Co			1758
	22	Telephone			2907
	18	Rent 907	5000		
	25	Deposit	101300		
			246567		95426
			150441		

187a

WATSON EXHIBIT 15

Estimated Expenditures 1960, 1961, 1962

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1960

PAID BY CHECK PER STATEMENT		MONEY RECEIVED	
INSURANCE (HOUSE - MEDICAL - CAR - LIFE)	1731.24	WAGES	12,557.27 (GROSS)
DR - MEDICAL	384.50	BANK INT.	133.77
HOUSE PAYMENTS	1888.82	DIVIDENDS	32.00
FURNITURE PAYMENTS	981.55		12,703.04
CAR EXPENSE	822.23	INCOME TAX WITHHELD	2136.01
UTILITIES + TELEPHONE	493.38		10,567.03
* MISCELLANEOUS	557.68	CASH IN CHECK. ACCT JAN 1, '60	285.63
NEW HOME EXPENSE	1010.36		10,852.66
INCOME TAX PAID	30.10	WITHDRAWN FM SAVINGS	500.00
M M + P DUES	120.00		11,352.66
EXPENSE - RENT PROPERTY	183.60	RENT REC'D	600.00
			11,952.66
		WITHDRAWAL FM SAVINGS	2755.65
			14,708.31

CLOTHES	149.03		
	8352.49	TOTAL PER STATEMENT	
DEPOSIT TO SAVINGS	800.00		
	9152.49		
VACATION -	1600.00	- INCLUDES: MOTELS - FOOD ENTERTAINMENT	
	10,752.49		
Food & Cig - CASH ESTIMATED	1000.00	- 1 PERSON ONLY - FOR APPROX 9 MONTHS (HALGA)	
	11,752.49		
CLOTHES - CASH ESTIMATED	152.79	- BOTH	
	11,905.28		
GEORGE - PETTY CASH - ESTIMATED	600.00		
	12,505.28		
TRAVEL EXPENSE TO MEET SHIP & TRAVEL TO VISIT RELATIVES - ESTIMATED ETC	500.00	- 1 PERSON (HALGA)	* MISCELLANEOUS INCLUDES: YARD MAN DONATIONS GIFTS DRY CLEANING BEAUTY SHOP
	13005.28		
AMOUNT IN CHECKING ACCT 31 DEC '80	547.32		
	13,552.60		
LOAN TO A FRIEND	200.00		
	13,752.60		
HOBBY - STAMP COLLECTING ESTIMATED	50.00		
	13,802.60		
HOTEL EXPENSE + FOOD WHEN SHIP IN PORT ESTIMATED	500.00	- 2 PEOPLE	
	14,302.60		

14,708.31
14,302.60
405.71 CASH ON HAND ESTIMATED -

Halga Wilson #1

Watson
Plaintiff's Ex 15

FIRST STATEMENT

1961

PAID BY CHECK PER STATEMENT		MONEY RECEIVED	
INSURANCE (HOUSE - MEDICAL - CAR - LIFE)	1709.83	WAGES	17,063.10
DR - MEDICAL	353.50	INTEREST	113.39
FURNITURE PAYMENTS	1982.26	DIVIDENDS	83.80
HOUSE PAYMENTS	1920.36	Rent	600.00
		INCOME TAX	17,260.29
CLOTHES	271.30	WITHHELD	3084.17
		CASH IN	14,176.12
CAR EXPENSE	1285.32	Checking Acct JAN 1, '60	547.32
			14,723.44
UTILITIES + TELEPHONE	511.19	WITHDREW FM SAVINGS	1500.00
			16,223.44
MISCELLANEOUS INCLUDES: YARDMAN - DONATIONS - GIFTS, CLEANING (DRY) BEAUTY SHOP	722.34		
NEW HOUSE EXPENSE	921.73		
INCOME TAX	35.23		
M M + P DUES	140.00		

EXPENSE - RENT PROPERTY	1000.24		
	10,843.30	PER STATEMENT	
GEORGE PETTY CASH	600.00		
	11,443 30		
VACATION - MOTELS, FOOD & ENTERTHAINMENT	1300.00		
	12743.30		
FOOD & CIGARETTES ESTIMATED	1000.00	1 PERSON - 9 MONTHS (HALGA)	
	13,743.30		
CLOTHES ESTIMATED	500.00	BOTH	
	14,243.30		
EXTRA YARD EXPENSE ESTIMATED	150.00		
	14,393.30		
DEPOSITED TO SAVINGS	1050.00		
	15443.30		16,223.44
AMOUNT IN CHECKING ACCT 31 DEC '61	690.41		16,003.71
	16033.71		219.73
			ESTIMATED CASH-ON HAND

Halga Watson Gz

SUPPLEMENT TO FIRST STATEMENT

BREAKDOWN of LIVING EXPENSE

1962

PAID BY CHECK PER STATEMENT		MONEY RECEIVED	
INSURANCE	# 1745.33	WAGES	# 17,235.77
DR. medical	173.00	INTEREST	145.61
FURNITURE PAYMENTS	511.53	DIVIDENDS	77.12
HOUSE PAYMENTS	2088.60	RENT	600.00
			18,057.50
CLOTHES	219.75	INCOME TAX WITHHELD	3201.46
			14,856.04
CAR EXPENSE	1072.89	CASH IN CHECKING ACCT 1 JAN 62	590.41
			# 15,446.45
UTILITIES + Telephone	829.78		
MISCELLANEOUS Includes; yardman Beauty Shop, Drycleaning Gifts - Donations, etc	695.98		
NEW HOME EXPENSE	643.00		

INCOME TAX 99.78

M.M.+P. DUES 70.00

EXPENSE ON RENT PROPERTY 878.60

RETURN TO COMPANY OVER PAYMENT 128.62
9256.86 PER STATEMENT

VACATION 1200.00
MOTELS-FOOD-ENTERTHINMENT 10,456.86
GEORGE-PETTY CASH ESTIMATED 600.00
11,056.86

DEPOSITED IN SAVINGS 250.00
11,306.86

FOOD + CIGARETTES ESTIMATED 1000.00
12,306.86 1 PERSON (HALGA) - 9 MONTHS

AINT IN CHECKING ACOT 31 DEC 72 2612.51
14,919.36

TRAVEL EXPENSE TO SHIP + VISITING RELATIVES ESTIMATED 200.00
15,119.36

15,446.45
15,119.36
327.09
ESTIMATED CASH ON HAND

Halga Watson 93

WATSON EXHIBIT 16

Testimony of Eugene Yourch (Excerpts)

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the section that discusses the term of the contract and the amount of money that is available on each of these anniversary dates? In other words, June 16, 1972, June 16, 1973, June 16, 1974.

A Section I, Subparagraph 1, covers the term of the agreement from June 16, 1972 to June 15, 1975, except as otherwise provided.

2 provides for the increase of June 16, 1972.

3 provides for the increase of June 16, 1973.

4 provides for the increase effective June 16, 1974.

6 makes provision for that termination in June 16, 1974, at the union's option.

Q 2 talks about a 6 per cent increase, doesn't it?

A Correct.

Q 3 and 4 instead translates into an amount of money based on a formula of the number of cents per man per day that is available. It's a set figure, right?

A Correct.

Q Is there any real doubt in your mind that if the union decides to use those figures to provide a 6 per cent increase like the other that there is enough money to do that?

MR. HUTTENBRAUCK: Objection, your Honor. First,

I don't know what the relevancy of it is.

Secondly, the document would speak for itself.

THE COURT: It does speak for itself, and if that's the fact you can argue that.

MR. SCHWARTZ: The problem is this. If you look at this document and you can understand 3 and 4, then you have had some experience in the industry. Otherwise, it's Greek. It provides for a dollar --

THE COURT: You don't have to do that. I am Greek of origin if you go back far enough, because they went to Sicily and raped my people. That's how I wound up with a Greek name.

In any event,you can ask him as an expert in these kinds of matters what -- you are trying to say, as I understand it, that the other two numbers are also 6 per cent. Why don't you ask him an opinion question and predicate it upon those facts?

Q Is there enough money in both of those figures that are set forth to provide for a 6 per cent base pay increase for the master?

A That is my opinion.

THE COURT: Both years?

THE WITNESS : Yes.

THE COURT: What else do you want?

WATSON EXHIBIT 24

Tanker Vacation Schedules

193a

PLAINTIFF'S
EXHIBIT
U.S. DIST. COURT
S. D. OF N. Y.
DEC 19 1973

Tanker Vacation Schedules - 1961 to 1972

1961 - 1969 120/360

= 9 months' sea time
3 months' vacation
all officers

24

Vacation Rate

		Mates	Master
1969			
	144/360 Mates	8.57 mos. sea time	7.65
	204/360 Master	3.43 mos. vacation	4.35
1970			
	162/360 Mates	8.28 mos. sea time	7.42
	222/360 Master	3.72 mos. vacation	4.58
1971			
	180/360 Mates	8 mos sea time	7.20
	240/360 Master	4 mos. vacation	4.8
1972			
	192/360 Mates	7.83 mos. sea time	7.05
	252/360 Master	4.17 mos. vacation	4.95

Watson Exhibit 24

WATSON EXHIBIT 30

Retired Masters of Marine Transport Lines

Masters Retired Since 1968
from Marine Transport Lines

Name	Year of Retirement	Age at Retirement
A. C. Allen, Jr. *	1971	55
Edward Cronin	1972	62
Colen Culum	1969	67
Frank Kelleher	1971	63
C. B. Simonsen	1972	67

* Massive heart attack shortly before retirement; did not return to work after heart attack.

Watson Ex 39

WATSON EXHIBIT 32

MMP Welfare Plan Regulations and Contribution Schedules (Excerpts)

ONLY COPY AVAILABLE

ARTICLE V

BASIC HEALTH BENEFITS

The following benefits shall be available to all Eligible Employees and their dependents:

Section 1. Hospital Expense

(a) If during the period of eligibility an Employee or Dependent of such Employee is confined as hereinafter provided in a legally constituted hospital, the following basic hospital benefits are reimbursable to the Employee during any one continuous period of disability:

(A) Room and Board Charges

An amount equal to the charges incurred during such confinement for board and room in semi-private accommodations. If private accommodations are used the Employee shall receive an amount equal to the average semi-private room charge of the hospital, for each day of confinement. In no event shall benefits be paid for more than seventy days for each period of hospitalization.

(B) Other Hospital Charges

An amount equal to the charges made in connection with such confinement,

(i) by the hospital (except charges for board and room and charges for physician's or surgeon's services);

Continued

(ii) for anesthetics and the administration thereof;

(iii) for necessary ambulance service;

(iv) special nursing services.

(b) If a Dependent or an Employee is wholly disabled on the date eligibility of the Employee terminates and is confined as herein provided as a result of an accidental bodily injury or disease hereinabove described within three months after such date and during the continuance of such disability, the benefits shall be payable which would have been payable if such confinement had commenced while the Dependent was eligible.

(c) Successive periods of hospital confinement shall be considered as having occurred during one continuous period of disability if the later period of hospital confinement is due to an accidental bodily injury or disease which is not entirely unrelated to the accidental bodily injury or disease which caused the previous period of hospital confinement commences after the Employee or Dependent completely recovers from the injuries or disease which caused the previous period of hospital confinement.

(d) If an eligible dependent is confined in a hospital and is reconfined for the same disability, after a period of one year the second confinement shall not be considered as being related to the original confinement.

Continued

ARTICLE V

(e) No minimum period of hospital confinement is required because of surgical procedure, or as a result of accidental bodily injury requiring emergency care, or if a board and room charge is made; otherwise hospital confinement must be for eighteen consecutive hours or longer.

(f) In connection with any benefits provided under this Section, no payment shall be made for any charges incurred for board and room, or for any charges for services and supplies in connection with hospital confinement, or for pregnancy.

(1) Unless such confinement and the services and supplies for which charges are made are recommended and approved by legally qualified physicians and surgeons; or

(2) unless the Employee or Dependent on the date such confinement commences is eligible for benefits under these Regulations; or

(3) when such confinement is in a Marine or Veterans' Hospital or any other hospital where care is provided at federal government expense.

(g) The above provisions shall apply for those items of expense incurred for treatment in a doctor's office in the event of an emergency or when hospital facilities are not available which would be payable if the treatment was performed in a hospital.

Continued

ARTICLE V

Section 2. Surgical Operation Expense

(a) If during the period of eligibility, an Employee or Dependent undergoes a surgical operation specified in Schedule A (Surgical Operation Expense Benefits) hereof a basic benefit is reimbursable to the Employee in an amount equal to the surgical fees actually charged for the operation, but not in excess of the maximum payment specified for the operation in Schedule A.

(b) If more than one of the above described operations is performed, the aforesaid benefits shall be payable for each such operation, except that the total benefit payable for all operations which are not entirely unrelated to the bodily injury sustained in any one accident or to same disease and which are performed before the Employee or Dependent completely recovers from such injuries or disease shall not exceed the maximum surgical benefit applicable; provided, however, that if more than one operation is performed,

(1) through the same abdominal incision, the total benefit payable for all such operations shall not exceed the maximum payment specified in Schedule A for that one of such operations for which the largest amount is payable.

(2) on the anus or rectum, or both (except for cancer), at any one time, the total benefit payable for all such

ARTICLE V

Section 2. Surgical Operation Expense

(b) (2) Continued

operations shall not exceed one and one-half times the maximum payment specified in Schedule A for that one of such operations for which the largest amount is payable.

(c) If any Dependent or Employee is wholly disabled by an injury or disease as hereinbefore described on the date the eligibility of the Employee ceases and undergoes a surgical operation specified in Schedule A within three months after such date and during the continuance of such disability, a benefit which would have been payable if such eligibility had not ceased shall be payable to the Employee.

(d) No payment shall be made for any operation:

(1) not recommended, approved, and performed by a legally qualified physician or surgeon; or

(2) caused by pregnancy, which term includes resulting childbirth or miscarriage; or

(3) performed at a Marine or Veterans' Hospital or elsewhere at federal government expense.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE V

Section 3. Maternity Benefits

If a pregnancy of the dependent wife of an Employee terminates during a period of eligibility of such Employee, a benefit will be payable for hospital, surgical and medical expenses actually charged in connection therewith not exceeding $500.

This benefit is in lieu of all other benefits provided under this Article V, provided, however, that where a Caesarean operation is performed, the hospital and medical expense limitation shall not apply and such expenses shall be paid pursuant to Sections 1, 2 and 4 of this Article.

Section 4. Medical Expense

(a) If during the period of eligibility an Employee or Dependent receives medical treatment by a legally qualified physician in a hospital, at home or in a physician's office, a benefit is payable to the Employee in an amount equal to the fees charged by the physician for each such treatment, up to $7 per treatment.

(b) No benefits shall be payable hereunder:

(1) for any treatment caused by, or resulting from pregnancy, which term includes resulting childbirth or miscarriage;

(2) for dental work or treatment, or for eye examinations or the fitting of glasses, or for x-rays, drugs, dressings or medicine;

Continued

ARTICLE V

Section 4. Medical Expense

b. (3) for any treatment rendered by the physician performing the surgery in connection with and on or after the date of an operation or procedure for which a Surgical Operation Expense benefit is reimbursable hereunder;

(4) for any treatment received in a Marine or Veterans' Hospital or elsewhere at federal government expense.

(c) if any Dependent or Employee is wholly disabled as a result of injury or disease as hereinbefore described on the date the eligibility of the Employee terminates and receives medical treatment within three months after such termination and during the continuance of such disability, the benefit shall be payable for such treatment if it would have been payable except for such termination.

Section 5. Poliomyelitis Expense

If during the period of eligibility an Employee or Dependent of the Employee contracts poliomyelitis (infantile paralysis), and as a result thereof becomes wholly disabled during the period of eligibility of the Employee or within three months after termination of such eligibility, or termination of the Dependency status, and as a result of such disability incurs expense for,

(a) medical or surgical treatment,

ARTICLE V

Section 5. Poliomyelitis Expense (Continued)

(b) services of a registered or licensed nurse or of a physiotherapist,

(c) ambulance service, including transportation by airplane or railroad, to a legally constituted hospital or to a sanitarium qualified to provide special poliomyelitis treatment,

(d) confinement in a legally constituted hospital or in a sanitarium qualified to provide special poliomyelitis treatment,

(e) braces, crutches, or other orthopedic appliances, rental of lung or other similar equipment,

upon the recommendation and approval of, and while under the regular care and treatment of a legally qualified physician, a benefit shall be payable to the Employee in an amount, up to $2,000, equal to that part of the expense incurred within two years after such disability commenced and which is in excess of the amount of such expense for which benefits are payable under Sections 1, 2 and 4 of this Article V. No benefit shall be payable for care and services incurred in any facility of the United States or elsewhere at federal government expense.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE V

Section 7. Diagnostic X-ray, Laboratory and Related Expense (Continued)

(a) In any calendar year period, no more than $200 shall be paid with respect to the Employee and all of his Dependents.

(b) Benefits shall not be payable hereunder for examinations in connection with dental work except when necessitated by injury to natural teeth as a result of an accidental bodily injury.

(c) For services rendered in a hospital such expenses shall be paid under this Section only to the extent they exceed the benefits payable under Section 1 of this Article V.

Section 8. Exclusions.

In the case of a Dependent, benefits under this Article V shall not be payable for expenses for injury or illness during or arising out of a period of employment for which State Workmen's Compensation benefits are payable. In the case of an Employee, benefits hereunder shall not be payable for expenses assumed or paid by an Employer.

In the case of a Dependent receiving benefits under Medicare the only benefit payable under the foregoing provisions of this Article V shall be a sum or sums constituting the difference between the amount paid by Medicare and the amount which would otherwise be payable under the provisions of this Article V. (Amendment No. 48 - Adopted June 24, 1971).

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VI

MAJOR MEDICAL EXPENSE COVERAGE

The program under this Article shall be in addition to, and reimbursable after, all benefits under the Basic Health Benefits provided by Article V have been utilized.

Section 1. Major Medical Expense Benefits

If any eligible Employee or eligible Dependent incurs Covered Medical Expenses (as defined herein) a benefit shall be reimbursable to the Employee, for such expenses so incurred in an amount equal to 80% of the amount by which the sum of all Covered Medical Expenses which are incurred by the Employee and his Dependents in a calendar year exceeds the deductible amount of $100.00 on the date on which the Employee or Dependent receives or is furnished the services or supplies in connection with which such expense is incurred.

Section 2. Satisfying Deductible Amount

The deductible amount may be satisfied only by incurring within a calendar year Covered Medical Expenses of the kind or kinds which are applicable toward said deductible amount in an amount not reimbursable through Basic Health Benefits, and equal to the deductible amount; provided, however, that the amount of Covered Medical Expenses which is incurred in the last three months of a calendar year shall be carried forward and applied toward the deductible amount in the next following calendar year.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VI

Section 3. Definitions

For the purposes of this coverage, the following terms shall have the meanings set forth below:

(a) The term "Hospital Charges" shall mean only the following covered medical expenses:

(1) charges made by the hospital for board and room, and charges made by the hospital for other hospital services and supplies furnished to the Employee or eligible Dependent for his use while he is confined therein (but not including charges for special nursing services or for the services of physicians or surgeons);

(2) charges for anesthetics and the administration thereof when incurred during hospital confinement;

(3) charges for local use of ambulance service when incurred in connection with hospital confinement.

(b) The term "Surgical Charges" shall mean the covered medical expenses incurred by an Employee or Dependent for fees actually charged for surgery and for necessary post-operative treatment in connection with such surgery.

(c) The term "Medical Charges" shall mean those covered medical expenses incurred by an Employee or Dependent which are not Hospital Charges or Surgical Charges as defined above.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VI

Section 3. Definitions. (Continued)

(d) The term "Surgery" shall mean a cutting operation; treatment of a fracture; reduction of a dislocation; endoscopic procedure; X-ray or radium therapy if used in lieu of a cutting operation for the purpose of removing a tumor, tonsils or excessive lymphoid tissue; injection treatment of hernia, hemorrhoids or varicose veins.

(e) The term "Continuous Period of Hospital Confinement" shall mean successive hospital confinements if the later hospital confinement is due to an accidental bodily injury or disease which is not entirely unrelated to the accidental bodily injury or disease which caused the previous hospital confinement, unless the later hospital confinement commences after the Employee or Dependent completely recovers from the injuries or diseases which caused the previous hospital confinement.

(f) The term "Basic Health Benefits" shall mean the benefits provided by Article V.

(g) The term "Reasonable and Customary" shall be applicable to a charge to the extent that it does not exceed the general level of charges being made by others of similar standing in the locality where the charge is incurred, when furnishing like or comparable treatment, services or supplies to individuals of the same sex and of comparable age and income, for a similar disease or injury. The term 'locality' means a county or such greater area as is necessary to establish a

Continued

ARTICLE VI

Section 3. Definitions.

(g) (Continued)

representative cross section of persons or other entities regularly furnishing the type of treatment, services or supplies for which the charge was made.

Section 4. Covered Medical Expenses

Subject to the provision hereof entitled "Exclusions", charges made to the Employee, or to the Employee on account of Dependent, for any of the services or supplies in the list of Covered Items below which are reasonably necessary for the care and treatment of the injury or disease and which are furnished upon the recommendation and approval of a legally qualified physician, shall be considered Covered Medical Expenses to the extent that such charges are Reasonable and Customary, are not in excess of amounts which would have been charged in the absence of this coverage, and are in excess of the benefits, if any, payable for such charges under the Basic Health Benefits. With respect to,

(a) charges made by psychiatrists or physicians for the care or treatment of nervous or mental conditions, alcoholism or venereal diseases and

(b) charges made by a hospital operated primarily for the care and treatment of nervous or mental conditions in connection with confinement for such care or treatment (or confinement in any hospital for treatment of venereal disease or alcoholism).

Continued

ARTICLE VI

Section 4. Covered Medical Expenses (Continued)

Such charges shall be considered Covered Medical Expenses only to the extent of the first $500.00 of the sum of all such charges incurred in a calendar year.

Section 5. List of Covered Items.

The following shall comprise "Covered Medical Expenses":

(a) Board and room furnished by a legally constituted hospital while the Employee or Dependent is confined therein beyond the period covered by the Basic Health Benefits but limited to charges for semi-private accomodations or, if a private room is utilized, the average charge made by the hospital for a semi-private room.

(b) Hospital services and supplies furnished by a legally constituted hospital.

(c) Surgery performed by a legally qualified physician or surgeon.

(d) Medical care and treatment by a legally qualified physician.

(e) Private duty nursing service furnished in a hospital or elsewhere by a registered graduate nurse (one entitled to use the designation "R.N.") and private duty nursing service furnished by a registered or licensed practical nurse in a legally constituted hospital (but not elsewhere) if a registered graduate nurse (R.N.) was not available; provided in any case that such nurse is one who does not ordinarily reside in the home of the Employee and is not a member of

Continued

ARTICLE VI

Section 5. List of Covered Items

(e) (Continued)

the Employee's immediate family (for purposes of this coverage "immediate family" consists of the Employee, the Employee's wife, children, brothers, sisters and parents).

(f) Local use of ambulance service.

(g) The following services and supplies:

(1) drugs and medicine;

(2) anesthetics and the administration thereof;

(3) oxygen and the administration thereof;

(4) rental of iron lung, kidney machine, oxygen tent, hospital bed, wheelchair or similar medical equipment (when such equipment is not available for rent, or, where it otherwise appears beneficial to the operation of the Plan, the Trustees may purchase such equipment and permit its use without charge by eligible Employees or Dependents); (Amendment No. 51 - Adopted May 3, 1973);

(5) blood and blood plasma, and the administration thereof;

(6) prosthetics, braces, or crutches when necessitated by an accidental bodily injury or disease which occurs while covered for Major Medical Expense Benefits;

(7) X-ray examination or laboratory tests and analysis thereof;

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VI

(Section 5. List of Covered Items - Continued)

(8) X-ray theraphy, radium therapy, physiotheraphy and similar therapeutic treatment.

Section 6. Exclusions

The term Covered Medical Expense shall not include expenses for:

(a) general health examinations;

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VI

Section 6. Exclusions (Continued)

(b) eye examinations, or the fitting or cost of eyeglasses or hearing aid, except when necessitated by injury to the natural eye or ear as a result of accidental bodily injury occurring while the Employee or Dependent is covered;

(c) orthodontia or other dental work or treatment, except when necessitated by injury to natural teeth as a result of an accidental bodily injury;

(d) cosmetic surgery or treatment, except when necessitated by an accidental bodily injury;

(e) transportation or travel other than local use of ambulance service;

(f) any item described in the provision hereof entitled Covered Medical Expense which

(1) is received as a result of any injury or disease resulting from war or any act of war, whether declared or undeclared, which war or act of war occurs while the Employee is covered;

(2) is received in a United States Government Hospital, or elsewhere at federal government expense;

(3) in the case of a Dependent, benefits under this Article VI shall not be payable for expenses for injury or illness during or arising out of a period of employment for which State Workmen's

Continued

ARTICLE VI

Section 6. Exclusions

(f) (3) (Continued)

Compensation benefits are payable, nor while the Dependent is receiving benefits under Medicare. In the case of an Employee, benefits hereunder shall not be payable for expenses assumed or paid by an Employer nor while the Employee is receiving benefits under Medicare. (Amendment No. 47 - Adopted April 22, 1971).

Continued

M. M. & P. WELFARE PLAN REGULATIONS

ARTICLE VII

DENTAL PROGRAM

Section 1. Dental Expenses Benefits

The Plan will pay a benefit for Covered Dental Expense (as defined below) incurred by an Eligible Employee or Eligible Dependent.

The benefit payable for the Covered Dental Expenses so incurred shall be the amount charged by the dentist, but not more than the amount indicated in the attached Schedule B. A charge shall be deemed incurred on the date the eligible person receives or is furnished the services or supplies for which the charge is made.

Section 2. Definitions.

For the purposes of this coverage, the following terms shall have the meaning set forth below:

(a) "Legally Qualified Dentist" means a duly licensed dentist acting within the scope of his license.

(b) "Orthodontia" means the prevention or correction of teeth irregularities and malocclusion of jaws by wire appliances, braces or other mechanical aids.

Section 3. Covered Dental Expenses

Charges made for any of the services or supplies in the Schedule of Dental Procedures shall be considered "Covered Dental Expenses".

(a) Only to the extent that such charges do not exceed the amount indicated in Schedule B; and

(b) Only if no benefits are payable for such charges under any other coverage in the MM&P Welfare Plan.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VII

Section 4. Exclusions

The term "Covered Dental Expense" shall not include any charge

(a) for the replacement of a lost denture or bridge.

(b) for dentures or bridgework replacing teeth which were extracted prior to the date of the Employee or Dependent, as the case may be, became covered under this coverage;

(c) for services or supplies that are primarily for beautification;

(d) for any procedure or item which is not included in the Schedule;

(e) for services performed by other than a Legally Qualified Dentist.

(Amendment No. 50 - Adopted January 25, 1973)

Section 5. Dental Chart Limitation.

No payment shall be made unless a dental chart satisfactory to the Plan Office and without expense to it is submitted. Such dental chart shall indicate prior extractions and shall be completed by the attending dentist at the time of the first visit, which occurs on or after the date the eligible person first becomes eligible under this coverage.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE VIII

EYE CARE BENEFIT

Section 1. Examination and Eyeglasses.

Each eligible Employee, Pensioner and their dependents who incur expenses for eye examinations or eyeglasses shall receive reimbursement for such expenses up to a maximum benefit of $42 per individual payable in any twelve-month period.

Continued

ARTICLE XII

BENEFITS FOR PENSIONERS

The following benefits shall be available to Pensioners eligible for pension under the M.M.& P. Pension Trust.

Section 1. Death Benefit.

During the period he continues to be entitled to payment of such pension, a Pensioner shall be eligible for a death benefit, and upon receipt of due proof of death, the Trustees shall pay to the beneficiary $1,000, provided, however, that upon the death of his spouse, such a Pensioner may elect to then receive $500 and thereupon the amount payable upon his death shall be reduced accordingly.

The benefit under this Section shall be payable on behalf of any Pensioner or Employee whose designated beneficiary or next of kin shall, upon his decease, be entitled to receive pension payments under the Regulations of the M.M.& P. Pension Plan or the M.M.& P./P.M.A. Pension Plan.

Section 2. Special Provisions for Pensioners Under Age 65.

Pensioners, prior to attaining age 65, and their dependents, shall be entitled to the following welfare benefits, provided they meet the requirements hereinafter set forth:

(a) Benefits under Sections 1,2,4,5, 6, 7 and 9 of Article V.

(b) Benefits under Article VI, except that such benefit shall be limited to a life-time maximum of $5,000.00.

Continued

M.M.& P. WELFARE PLAN REGULATIONS

ARTICLE XII

Section 2. Special Provisions for Pensioners Under Age 65 (Continued)

(c) Benefits under Article VIII.

However, the foregoing benefits shall not be available to the pensioner or his dependents, if he is gainfully employed and receiving compensation above the minimum allowed under Social Security; nor to his spouse if she is age 65 or older; nor to any dependent who is gainfully employed and receiving compensation above the minimum allowed by Social Security, nor to a dependent child born after the effective date of the pension; nor to a dependent adopted child, stepchild or close relative unless such relationship existed prior to the effective date of the pension. (Amendment No. 50 - Adopted January 25, 1973)

Section 3. Special Provisions for Pensioners Age 65 and Over.

In order to accommodate the M.M.& P. Welfare Plan to the National Medicare Program, the following will apply with respect to Pensioners and Dependents age 65 and over:

(a) Each such Pensioner and each Dependent (age 65 or over) shall be reimbursed, at suitable intervals, for the charges made for "Medicare B."

(b) In the case of each Pensioner, and each Dependent who has reached the age of 65, the Hospital and Surgical Operation Expense Benefit shall apply to the extent of the "deductibles" under Medicare A and B.

Continued

COMPREHENSIVE SURGICAL SCHEDULE

MAXIMUM ALLOWANCES

Abdomen

Two or more surgical procedures performed through the same abdominal incision will be considered as one operation.

⚓

Abscesses

Abscess, subdiaphragmatic, incision and drainage	$300.00
Adrenalectomy, partiol or total (removal of part or all of adrenal glands)	600.00
Appendectomy (removal of appendix)	300.00
Appendiceal abscess—incision and drainage of	300.00
Bile ducts, plastic repair or reconstruction	450.00
Bowel, resection of	600.00
Cholecystectomy (removal of gall bladder)	450.00
Cholecystectomy and exploration of common duct (removal of gall bladder)	450.00
Cholecystoduodenostomy (joining of gall bladder to intestine)	450.00
Cholecystoenterostomy (joining of gall bladder to intestine)	450.00
Gholecystotomy (cutting into gall bladder, including removal of gall stones)	450.00
Choledochoplasty (opreation on the bile duct)	450.00
Choledochostomy (operation on the bile ducts)	450.00
Choledochotomy (operation on bile ducts)	450.00
Cholelithotomy (cutting into gall bladder, including removal of gall stones)	450.00
Colectomy (partial removal of colon—large intestine)	600.00
Colon, resection of (partial removal of colon—large intestine)	600.00
Colostomy (formation of artificial anus)	375.00
Colostomy, revision	300.00
Colostomy, closure of	300.00
Common bile luct, opening of with exploration, drainage or removal of calculus with or without removal of gall bladder	450.00
Common bile duct, opening of, secondary, in absence of gall bladder	450.00
Common bile duct, resection or reconstruction of	450.00
Diverticulum, Meckel's or intestinal (removal of pocket in the intestine)	300.00
Duodenal ulcer, perforation, closure of	300.00
Duodenal ulcer, gastric freeze	200.00
Enterectomy, with or without anastomosis (cutting away of intestines, with or without rejoining)	600.00
Enterorrhaphy (suture of intestine)	300.00
Enterotomy, including removal of foreign body (cutting into intestine)	300.00
Gall bladder, removal of (cholecystectomy)	450.00
Gall blaider, operation other than removal	450.00
Gastrectomy, partial or total (removal of stomach)	600.00
Gastric or duodenal ulcer, perforation, closure of	300.00
Gastroduodenostomy (joining of stomach to intestine)	450.00
Gastroenterostomy (joining of stomach to intestine)	450.00
Gastrojejunostmy, with or without vagotomy (joining of stomach to intestine)	450.00
Gastroscopy—diagnostic examination of stomach by gastroscope)	120.00
operative (operation thru gastroscope)	150.00
Gastrostomy or gastrotomy (forming opening in stomach)	300.00
Gastrostomy, closure of	300.00
Gastrotomy with exploration or foreign body removal (cutting into stomach)	360.00
Hepatectomy, partial (resection of part of liver)	600.00
Hepatorrhaphy (suture of liver)	300.00
Hepatotomy (incision of liver for drainage of abscess or cyst, one or two stages)	300.00
Herniotomy—heriorrhaphy—hernioplasty (repair of hernia—rupture)	
single—inguinal, femoral, umbilical, ventral or incisional	300.00
bilateral—inguinal, or femoral	375.00
Hiatal or diaphragmatic	600.00
Intestinal obstruction—operation for, not requiring resection	300.00
Intestine—reduction of volvulus or intussusception by cutting (repair of folding or twisting of intestines)	300.00
Intestine, large, resection of	600.00
Intestine, small, resection of	600.00
Laparotomy—exploratory (cut[illegible] into abdomen)	300.00
Liver, aspiration (tapping) or punch biopsy	45.00
Liver, biopsy by laporotomy	[illegible]
Liver, marsupialization of cyst or abscess of	[illegible]
Liver, suture of wound or injury (hepatorrhaphy)	[illegible]
Lysis of adhesions (intra abdominal—independent procedure)	[illegible]
Pancreas, drainage of, or marsupialization of cyst	[illegible]
Pancreas, excision of, partial or total except marsupialization of cyst	[illegible]
Pancreas, radical excision of Ampulla of Vater, with resection of duodenum and portion of pancreas, gastrojejunostomy and anastamosis of billary tract to alimentary tract, one or more stages	[illegible]
Pancreaticogastrostomy (joining pancreas to stomach)	[illegible]
Pancreaticoenterostomy (joining pancreas to intestine)	[illegible]
Pancreatotomy (cutting into the pancreas)	[illegible]
Pancreolithotomy (removal of stone from pancreas)	[illegible]
Paracentesis, abdominal cavity (tapping)	[illegible]
Peritoneoscopy—diagnostic (examination of lining of the abdomen by peritoneoscope)	[illegible]
Operative (biopsy)	[illegible]
Pneumerperitoneum—induction of (injection of gas into abdominal cavity)	[illegible]
Each refill—(not more than 17) each	[illegible]
Pyloric stenosis, operation for (repair of constriction of lower opening of stomach)	[illegible]
Ramstedt's operation for pyloric stenosis (repair of constriction of lower opening of stomach)	[illegible]
Rectum, resection of	[illegible]
Splenectomy (removal of spleen)	[illegible]
Splenorrhaphy (suture of spleen)	[illegible]
Stomach, resection	[illegible]
Umbilectomy (removal of naval)	[illegible]
Vagotomy (cutting of vagus nerve in stomach)	[illegible]
Incision and drainage—	
requiring hospital residence	[illegible]
not requiring hospital residence	[illegible]
Peritonsillar abscess, incision of—	
requiring hospital residence	[illegible]
not requiring hospital residence	[illegible]
Supralevator (above levator muscle of anus), incision and drainage	[illegible]

Amputations

Coccyx (removal of bone at lower end of spine)	[illegible]
Ear—	
unilateral	[illegible]
bilateral	[illegible]
Fingers, each (one or more phalanges)	[illegible]
Foot (thru metatarsal bones or above)—	
unilateral	[illegible]
bilateral	[illegible]
Forearm—	
unilateral	[illegible]
bilateral	[illegible]
Hand, entire (thru metacarpal bones or above)—	
unilateral	[illegible]
bilateral	[illegible]
Leg—	
unilateral	[illegible]
bilateral	[illegible]
Nose	[illegible]
Thigh—	
unilateral	[illegible]
bilateral	[illegible]
Thumbs, each (one or more phalanges)	[illegible]
Toes, each (one or more phalanges)	[illegible]
Upper arm—	
unilateral	[illegible]
bilateral	[illegible]

Arteries and Veins (*Vascular Surgery*)

Aneurysm (dilation of blood vessel) arterial or arteriovenous, operation for (excision of or wiring)	
Extremities	150.00
Intra-abdominal	300.00
Intracranial	600.00
Intrathoracic	600.00
Angiogram, cutting operation for exposure of vessel where necessary for	75.00
Aorta, excision of coarctation of	600.00
Artery, anastamosis (joining or forming a connection between arteries)	
in extremities ..... each	150.00
intra-abdominal	300.00
intracranial	600.00
intrathoracic	600.00
Artery, excision of temporal	75.00
Artery, excision or ligation of major artery of extremity	150.00
Artery, excision of coarctation (contraction) of aorta	600.00
Artery, ligation (tying) of result of accidental wound ..... each	30.00
Carotid artery, ligation (tying) of	225.00
Catheterization of heart (independent procedure)	150.00
Embolectomy—arteriotomy or ventomy with exploration or removal of embolus or thrombus (clot)	
in abdomen	300.00
in chest	600.00
in extremities	150.00
in neck	300.00
in skull (intracranial)	600.00
Femoral vein, ligation (tying) of, for other than varicose veins—	
unilateral	75.00
bilateral	150.00
Hemangioma (blood vessel tumor) simple, not requiring hospital residence	30.00
requiring hospital residence	75.00
Hemangioma (blood vessel tumor) cavernous	150.00
Saphenous vein, ligation (tying) of, for other than varicose veins—	
unilateral	75.00
bilateral	150.00
Temporal artery, excision of	75.00
Varicose veins—	
injection treatment, complete procedure (one or both legs)	120.00
cutting operation, complete procedure—	
one leg	150.00
both legs	240.00
Vein, ligation (tying) of, result of accidental wound ..... each	30.00
Venogram, cutting operation for exposure of vessel where necessary for	75.00
Venous Anastamosis (forming connection between veins)	
porto-caval anastamosis	600.00
superior mesenteric caval anastamosis	600.00
Spleno-renal anastamosis	600.00

Biopsy

Removal of fluid or tissue by cutting or aspiration for examination. Not § when done immediately preceding or as part of operation listed in infor schedule.

Bone, excision of portion for biopsy	75.00
Bone marrow, aspiration of, including sternal puncture	45.00
Breast	45.00
Bronchoscopy	150.00
Chest, open operation	150.00
Chest, needle	45.00
Cystoscopy	105.00
Esophagoscopy	150.00
Gastroscopy	150.00
Gland or glands, superficial	30.00
Kidney, by needle	45.00
Laryngoscopy	75.00
Liver, by needle or punch	45.00
Lung, aspiration of, by needle	45.00
Lung, cutting open operation of chest	150.00
Muscle	75.00
Needle (paracentesis)	45.00
Peritoneoscopy	150.00
Proctoscopy	75.00
Sigmoidoscopy	75.00
Skin	30.00
Spleen, by needle	45.00
Sternum, by needle	45.00

Blood Transfusion (*or Plasma*)

Each	75.00

Breast

Breast, abscess, incision and drainage of—	
requiring hospital residence	75.00
not requiring hospital residence	30.00
Biopsy	45.00
Plastic operation, complete separate procedure—	
unilateral	150.00
bilateral	300.00
Radical amputation	450.00
Removal of benign tumor or cyst—	
requiring hospital residence	
unilateral	150.00
bilateral	300.00
not requiring hospital residence	60.00
Simple amputation—	
unilateral	300.00
bilateral	600.00

Bursae

Bursae, aspiration, injection, irrigation, or needling (or any combination) ..... each	45.00
excision of (bursectomy) prepatellar and olecranon	105.00
shoulder, hip	225.00
incision and drainage (bursotomy)—	
requiring hospital residence	75.00
not requiring hospital residence	30.00

Chest

Arytenoidopexy (fixation of arytenoid cartilages)	450.00
Bronchoscopy (examination of windpipe by bronchoscope)—	
diagnostic	120.00
operative	150.00
Commissurotomy (operation on valves of heart)	600.00
Costo-sternoplasty (repair of funnel chest)	375.00
Decoration of lung (removal of membrane lining the lung)	450.00
Diaphragm, transthoracic approach to	600.00
Epiglottidectomy (removal of epiglottis)	225.00
Esophageal diverticulum, one or more stages—	
transthoracic approach	600.00
other approach	450.00
Esophagoduodenostomy (joining of esophagus to duodenum)	450.00
Esophagogastrectomy, combined, thoracoabdominal (removal of part or all of stomach and esophagus)	600.00
Esophagogastrostomy (joining of esophagus to stomach)	450.00
Esophagojejunostomy (joining of esophagus to jejunum)	450.00
Esophagoplasty (plastic repair or reconstruction of esophagus)	450.00
Esophagoscopy (examination of gullet by esophagoscope)—	
diagnostic	120.00
operative	150.00
Esophagus, transthoracic approach to	600.00
Funnel chest, plastic repair of	375.00
Heart Operations—See section on HEART OR CARDIAC	
Hemilaryngectomy (removal of half of larynx)	450.00
Hernia, diaphragmatic or hiatal, repair of	300.00
Larynectomy (removal of larynx)	600.00
Laryngofissure (cutting into larynx) with removal of tumor	600.00

Laryngoplasty (plastic repair of larynx)	450.00
Laryngoscopy (examination of larynx by laryngoscope)—	
diagnostic	45.00
operative	75.00
Lobectomy, total or subtotal, wedge or segmental resection (removal of all or part of lobe of lung)	600.00
Lung, removal of all or part of	600.00
Mediastinal cyst or tumor, excision of	450.00
Mediastinal wound or injury, suture of	450.00
Mediastinotomy	450.00
Oleothorax, intrapleural, injection of oil—	
initial	75.00
(not more than 17) subsequent	30.00
Phrenic nerve, crushing or resection	75.00
Pleurectomy or decortication (removal of membrane lining the lung)	450.00
Pneumonectomy (removal of entire lung)	600.00
Pneumonocentesis, puncture of lung for aspiration biopsy	45.00
Pneumothorax, induction of artificial—	
initial	75.00
(not more than 17) subsequent	30.00
Pneumonotomy, exploratory (cutting into lung)	300.00
Pneumonotomy, with open drainage of pulmonary abscess or cyst (cutting into lung)	300.00
Stomach, transthoracic approach to	600.00
Sympathectomy, with transthoracic approach	600.00
Thoracentesis (surgical puncture of the chest cavity)	45.00
Thoracoscopy (examination of chest by thoracope)—	
operative	150.00
diagnostic	120.00
Thoracotomy (cutting into chest cavity, including drainage) exploratory, including control of hemorrhage	300.00
Thoracotomy, inter-rib (cutting into chest cavity without cutting rib)	150.00
Thoracotomy, with rib resection	300.00
Thoracotomy, with removal of intrapleural foreign body	300.00
Thoracotomy, with [illegible]	300.00
Thoroplasty, complete (removal of ribs and collapse of chest)	600.00
Tracheosphageal fistula, closure of	300.00
Tracheoplast (plastic operation on trachea)	450.00
Tracheorrhaphy (suturing of trachea)	105.00
Tracheostomy for tracheal fistula	75.00
Tracheotomy (cutting into windpipe)	150.00
Valvulectomy (operation on valves of heart)	600.00

Cysts

Cutting operation for removal of

Baker's cyst (back of knee)	150.00
Branchial cyst (removal of deep cyst of the neck)	150.00
Breast—	
requiring hospital residence	150.00
not requiring hospital residence	90.00
Dermoid cyst (superficial)	105.00
Pilonidal cyst or sinus (at base of spine)	150.00
Thyroglossal cyst, duct or sinus (removal of deep cyst of the neck)	300.00
Acne surgery (each treatment)	14.00
Moles (each)	20.00
Warts (each)	20.00
Cysts, all other, unless otherwise set out in schedule—	
requiring hospital residence	75.00
not requiring hospital residence	30.00

NOTE If multiple cysts are removed through more than one incision, p each incision up to maximum limit of $300 for all.

Dislocation

Closed reduction of, including application of cast

Ankle joint	105.00
Bones of hand	30.00
Bones of foot	30.00
Coccyx	15.00
Collar bone (sternoclavicular or acromioclavicular)	45.00
Elbow	135.00
Hip (femur)	105.00
Knee joint (Patella excepted)	105.00
Lower jaw (temporomandibular)	45.00
Patella	45.00
Shoulder (humerus)	90.00
Wrist	45.00
Vertebra (except coccyx) manipulation under general anesthesia with hospitalization and immobilization	105.00

NOTE: For dislocation requiring open operation, the maimum payment will be twice the amount shown above; except:

Wrist joint (arthrotomy)	150.00
Hand	75.00
Foot	75.00

Ear, Nose or Throat

Ear

Abscess, external auditory canal, incision and drainage	45.00
Abscess, external ear, incision and drainage	45.00
Amputation—	
unilateral	150.00
bilateral	300.00
Excision of polyp or polyps of auditory canal—	
not requiring hospital residence	45.00
requiring hospital residence	75.00
Electrocauterization—	
unilateral	45.00
bilateral	90.00
Exostosis (bony outgrowth) excision from external auditory canal	150.00
Fenestration, one or both sides (window operation for deafness)	600.00
Labyrinthectomy (cutting away of inner ear)	600.00
Labyrinthotomy (cutting into inner ear)	450.00
Malignant lesion, resection from external auditory canal	150.00
Mastoidectomy, one or both sides—	
simple	300.00
radical	450.00
Myringotomy (cutting into ear drum)	30.00
(insertion of plastic tubes)	15.00
Ossiculectomy (cutting out of bones of inner ear)	150.00
Otoplasty (plastic operation for protruding ears) Each ear	150.00
Plicotomy (cutting of posterior fold of ear drum)	45.00
Stapes, mobilization of—	
unilateral	600.00
bilateral	600.00
Tympanotomy (cutting into ear drum)	45.00

Nose

Abscess, nasal, incision and drainage)—	
not requiring hospital residence	45.00
requiring hospital residence	75.00
Antrum (nasal sinus) puncture of	15.00
Electrocauterization—	
unilateral	45.00
bilateral	90.00
Epistaxis (nose bleed), electro-cauterization only	45.00
Nasal polyps, removal of—	
not requiring hospital residence—	
unilateral	45.00
bilateral	90.00
requiring hospital residence—	
unilateral	75.00
bilateral	150.00
Amputation for malignant tumor	300.00
Amputation, other than for malignancy	150.00
Rhinophyma, excision of skin of nose for, including plastic repair	300.00
Rhinoplasty (plastic operation on nose)	150.00
Sinus operation by cutting, any approach (puncture of antrum excepted) frontal, ethmoid, sphenoid and maxillary, each—	
unilateral	150.00
bilateral	300.00
Submucous resection of nasal septum	150.00

Turbinectomy, excision, electrocoagulation or electrodesiccation (removal of small bones of the nose)—
- unilateral 45.00
- bilateral 90.00

Throat

- Adenoidectomy, tonsillectomy, or both 100.00
- Arytenoidopexy (fixation of arytenoid cartileges) 450.00
- Branchial cyst, excision (removal of deep cyst of the neck)..... 150.00
- Electrocauterization—
  - unilateral 45.00
  - bilateral 90.00
- Epiglottidectomy (removal of epiglottis) 225.00
- Esophageal diverticulum, excision of, one or more stages—
  - transthoracic approach 600.00
  - other approach 450.00
- Esophagoduodenostomy (joining of esophagus to duodenum)..... 600.00
- Esophagogastrectomy, combined, thoracoabdominal (removal of part or all of stomach and esophagus) 600.00
- Esophagogastrostomy (joining of esophagus to tomach) 600.00
- Esophagorejunostomy (joining of esophagus to jejunum) 600.00
- Esophagoplasty (plastic repair or reconstruction of esophagus)... 600.00
- Esophagoscopy (examination of gullet by eophagoscope)—
  - diagnostic 120.00
  - operative 150.00
- Esophagus, transthoracic approach to 600.00
- Frenum linguae, clipping of 30.00
- Glossectomy, complete or total (removal of tongue) 600.00
- Hemilaryngectomy (removal of half of larynx) 450.00
- Laryngectomy (removal of larynx) 600.00
- Laryngofissure (cutting into larynx) with removal of tumor..... 300.00
- Laryngoplasty (plastic repair of larynx) 450.00
- Laryngoscopy (examination of larynx by laryngoscope)—
  - diagnostic 45.00
  - for biopsy 75.00
  - operative 150.00
- Larynx, cauterization, without use of laryngoscope 45.00
- Larynx, cauterization, done through laryngoscope 75.00
- Peritonsillar abscess, incision of (operation for abscess of throat) —(quiny)—
  - requiring hospital residence 75.00
  - not requiring hospital residence 45.00
- Thyroglossal cyst, duct or sinus, excision of 300.00
- Tongue, total excision of (for malignancy) 600.00
- Tongue, partial excision of (for malignancy) 300.00
- Tonsillar tags, excision, electrocoagulation or electrodessication—
  - unilateral 45.00
  - bilateral 90.00
- Tonsillectomy, adenoidectomy, or both 100.00
- Torus palatinus, excision of 150.00
- Tracheotomy (cutting into windpipe) 225.00
- Tumor, benign, vocal cord, excision of 150.00
- Tumor, malignant, of vocal cord, excision of 300.00
- Tumor, malignant, vocal cord, excision of with laryngectomy.... 600.00

Endoscopic Procedures

- Bronchoscopy (examination of windpipe by bronchoscope)—
  - diagnostic 120.00
  - (operation on windpipe by bronchoscope)—operative..... 150.00
- Culdoscopy (examination of uterus by culdoscope)—
  - diagnostic 75.00
  - (operation on uterus by culdoscope)—operative..... 105.00
- Cystoscopy (examination of bladder or ureter by cystoscope)—
  - diagnostic 75.00
  - With ureteral catheterization 75.00
  - Operative operation not otherwise classified—(operation on bladder or ureter by cystoscope) 105.00
- Esophagoscopy (examination of gullet by esophagoscope)—
  - diagnostic 120.00
  - (operation on gullet by esophagoscope) operative 150.00
- Gastroscopy (examination of stomach by gastroscope)—
  - diagnostic 120.00
  - (biopsy of stomach by gastroscope) operative..... 150.00
- Laryngoscopy (examination of larynx by laryngoscope) —
  - diagnostic 45.00
  - (operation on larynx by laryngoscope) operative 150.00
  - for biopsy 75.00
- Otoscopy, for removal of foreign body, except wax from ear..... 60.00
- Peritoneoscopy (examination of lining of the abdomen by peritoneoscope)—
  - diagnostic 120.00
  - (operation on lining of the abdomen by peritoneoscope) operative 150.00
- Prostatectomy, transurethral (removal of prostate thru cystoscope) . 300.00
- Proctoscopy (examination of rectum by proctoscope)—
  - diagnostic 60.00
  - (operation on rectum by proctoscope) operative 75.00
- Rhinoscopy, for removal of foreign body of nose 30.00
- Sigmoidoscopy (examination of lower colon by sigmoidoscope)—
  - diagnostic 60.00
  - (operation on lower colon by sigmoidoscope) operative..... 75.00
- Thoracoscopy (examination of chest by thoracoscope)—
  - diagnostic 120.00
  - (operation on chest by thoracoscope) operative 150.00

Excision (*Arthrectomy*) or Fixation (*Arthrodesis*) by Cutting

NOTE: Excision of a joint is the removal of the articulating end of one or more of the bones forming the joint.

Fixation of a joint is the permanent immobilization of the part by some type of fusion operation.

In event of bilateral or multilateral excision or fixations pay for each up to the limit of $300.00 for all.

- Ankle joint 375.00
- Coccyx (removal of bone at lower end of spine) 150.00
- Elbow joint 375.00
- Hip joint 450.00
- Knee joint 375.00
- Patella (knee cap) 300.00
- Semi-lunar cartilage (cartilage of knee joint) 300.00
- Sesamoid (superfluous bones usually in tendons) excision of..... each 75.00
- Shoulder joint 375.00
- Spine, including sacro-iliac (except coccyx) 450.00
- Temporo-mandibular (hinge of jaw bone) meniscus 300.00
- Wrist joint 375.00
- Removal of diseased portion of bone, including curettage (alveolar processes excepted) 150.00
  - pay exostosis under this heading, including bunions (hallux-valgus) or corns when bone is removed.

Eye

- Abscess, intra-orbital, drainage of 75.00
- Abscess, lacrimal gland, incision of 60.00
- Blepharectomy, excision of benign lesion of eyelid 60.00
- Blepharectomy, excision of malignant lesion of eyelid..... 150.00
- Blepharoplasty, plastic restoration of eyelid, skin only..... 60.00
- Blepharoplasty, plastic restoration of eyelid, deep structures..... 90.00
- Blepharorrhaphy (uturing of accidental wound of eyelid) 105.00
- Canaliculi (small canals leading from lacrimal sac) plastic operation on 150.00
- Canthotomy, division of canthus, with suture 60.00
- Capsulectomy (removal of the lens capsule) 150.00
- Capsulotomy (cutting into lens capsule) 60.00
- Cataract, removal of 150.00
  - needling—complete procedure 225.00
- Chalazion (cutting out or scraping of retention tumor or glands in in the eyelid) 60.00
- Conjunctiva, cutting operation for biopsy 60.00
- Conjunctiva, free graft of 75.00
- Conjunctiva, suturing of injury 60.00
- Conjunctivokeratoplasty for perforating wounds of eyeball..... 90.00
- Cornea, paracentesis (tapping) of 90.00

Cornea, suturing of accidental wounds 225.00
Corneal, tattooing 60.00
Corneal transplant (transplant of front surface of eyeball)..... 300.00
Corneal ulcer, electrocauterization or curettage (scraping)..... 60.00
Coreolysis (freeing of adhesions between iris and cornea)..... 300.00
Cyclodiathermy (diathermy of ciliary body 150.00
Cyclodialysis (detaching ciliary body from sclera) 300.00
Cyst conjunctival (excision of 60.00

Dacryocystectomy (cutting away of tear gland) 150.00
Dacryocystectomy (cutting away of tear gland) 150.00
Dacryocystostomy (forming communication between tear gland and nose) 225.00
Dacryocystotomy (cutting into tear sac) 60.00
Dacryocystotomy (cutting into tear sac) 60.00
Discission: Needling of lens, complete procedure 225.00

Entropion, operation for (repair of eyelid folded out)..... 210.00
Entropion, operation for (repair of eyelid folded in)..... 210.00
Epilation (removal of lashes by electrolysis only)..... each eyelid 60.00
Epithelioma, excision of (conjunctival 225.00
Eyeball, removal of (enucleation or evisceration 225.00
Eyeball socket, revision of, subsequent to original enucleation and not during enucleation 225.00
Eyelid ptosis (drooping of), operation for..... each eyelid 150.00

Foreign body removal of (from cornea, sclera or conjunctiva (by surgical incision or magnet) 15.00
Foreign body, removal of intra-ocular (from interior of eye)..... 60.00

Glaucoma, operation possibilities (except paracentesis or tapping)... 300.00
Glaucoma or intraocular pressure, paracentesis (tapping) for..... 15.00
Glaucoma, trephine operation for 150.00

Hordeolum (stye) incision for 30.00

Iridectomy (removal of 300.00
Iridotomy (incision into 300.00
Iridencleisis (stretching of iris (independent procedure) 150.00
Iridosalysis (separation of iris from its attachments)..... 150.00
Iris, excision of lesion of 300.00
Iris, repair of prolapsed (dropped), with suture of perforated sclera .. 300.00
Iris, transfixion of (for bombe (repair of bulging iris) 300.00

Keratectomy, conical or partial (removal of corneal..... 300.00
Keratoplasty (corneal graft) (plastic operation on cornea)..... 300.00
Keratotomy (cutting of cornea) 300.00

Lacrimal duct dilatation (unclogging of tear duct) 60.00
Lens, extraction of, intra capsular or extracapsular 450.00

Muscle, ocular, any cutting operation on ..... each 300.00

Nevus, excision of eyelid 300.00

Orbit, reconstruction of, subsequent to original enucleation and not during enucleation (plastic repair of eye socket) 300.00
Orbitotomy with exploration (cutting into orbit) 225.00

Pannus, excision of 300.00
Peritectomy (removal of ring of conjunctiva) 300.00
Peritomy (removal of strip of conjunctiva around cornea)..... 300.00
Pterygium, excision of (treatment of thickened membrane over eye) 300.00
Ptosis operation, complete each eyelid (correction of drooping eyelid) 150.00

Retina, operation for detachment, including diathermy 600.00

Sclerectomy (removal of part of sclera) for glaucoma lagrange, Elliott) (cutting of surface of eyeball) 300.00
Strabismus (cross eye) cutting operation for (complete procedure) each eye 300.00
Stye incision of 300.00
Symblepharon (adhesion of eyelid to eyeball) release by simple incision 60.00

Tarsectomy (removal of tarsus of eyelid) 150.00
Tarsorrhaphy (stitching of tarsus of eyelid) 210.00
Tear duct (lacrimal duct) dilatation 60.00
Tumor, excision of intra-orbital simple 150.00
Tumor, excision of intra-orbital malignant 300.00

Wounds, accidental, of conjunctiva, suturing of 60.00

Xanthoma, excision of
requiring hospital residence 75.00
not requiring hospital residence 60.00

Fractures

Simple fractures, closed reduction or treatment, unless otherwise specified.

The amounts shown below are for simple fractures. For a compound fracture, the maximum payment will be one and one half times the amount shown below for the corresponding simple fracture.

For a fracture requiring an open operation, the maximum payment will be twice the amount shown below for the corresponding simple fracture. (Bone grafting, bone splicing and skeletaitraction pins are considered open operations.)

Removal of bone plates or pins except removal of traction pins or other traction appliances (as this is always a separate and distinct procedure) x

Skull
Non-operative x
Operative, with cutting into cranial cavity (drill taps excepted) x

Facial Bones
Hyoid (at base of tongue) ..... closed x
Malar (cheekbone) ..... closed x
Mandible (lower jaw) alveolar process excepted..... closed x
with or without inter-dental wiring..... open x
Maxilla (upper jaw) alveolar process excepted..... closed x
with or without inter-dental wiring ..... open x
Nasal ..... closed x
Zygoma (cheek bone) ..... closed x

Spine and Trunk
Clavicle (collar bone) ..... closed x
Coccyx (lower end of spine) x
Rib or ribs—three or more..... x
Rib or ribs less than three x
Sacrum, alone or with pelvic bones..... closed x
Scapula (shoulder blade) ..... closed x
Sternum (breast bone) ..... closed x
Vertebra, one or more (bones of spinal column) ..... closed x

Pelvis one or more of following bones including acetabulum
Ilium, ischium, pubis, or sacrum) ..... closed x

Upper Extremity
Carpal bone, one or more (each hand) ..... closed x
Colles (wrist) ..... closed x
Humerus (upper arm) ..... closed x
Metacarpal bone, one or more (each hand) ..... closed x
Phalanx, each finger ..... closed x
Radius, or radius and ulna (forearm) ..... closed x
Ulna or ulna and radius (forearm) ..... closed x

Lower Extremity
Astragalus (foot) ..... closed x
Femur (thigh) ..... closed x
Fibula or fibula and tibia (leg) ..... closed x
Metatarsal bone, one or more (foot) ..... closed x
Os clasis (foot) ..... closed x
Patella (kneecap) ..... closed x
Phalanx, each toe ..... closed x
Potts (ankle) ..... closed x
Tarsal bone, one or more (foot) ..... closed x
Tibia or tibia and fibula (leg) ..... closed x

Genito-Urinary Tract

Abscess, periurethral, drainage of x
Anterior and posterior repair x

Bartholin gland, incision of -
not requiring hospital residence x
requiring hospital residence x
excision of, one or more x
Biopsy, through cystoscope x
Bladder, diverticulum (pouch) excision of x
Bladder, punch operation on neck of x
Bladder, tumor or stones, removal of
By open cutting operation x
By endoscopic means x
Bulbourethral gland, excision of (removal of gland in urethra) x

Catheterization x
Cauterization of cervix, when done separately and not in conjunction with other procedures x

Cervicectomy (amputation of cerviz)	150.00
Cervix (neck of uterus) amputation	150.00
Cervix, biopsy of (independent procedure)	30.00
Cervix, conization (roaming) of	75.00
Cervix, insertion of radioactive substance, or treatment by X-ray with or without biopsy (for malignancy)	150.00
Circumcision (removal of foreskin of penis)	45.00
Clitoris, amputation of all or part	45.00
Colpectomy (excision of vagina)	300.00
Colpocleisis (complete obliteration of vagina)	300.00
Colpoperineoplasty: (repair of vagina and perineum; pelvic floor repair, independent procedure)	375.00
Colpopexy (plastic repair of vagina)	225.00
Colpoplasty, repair of cystocele (hernia of bladder) or rectocele (hernia of rectum), independent procedure	225.00
Clopoplasty, repair of cystocele (hernia of bladder) and rectocele (hernia of rectum)	300.00
Colpotomy (incision into vagina) with exploration or drainage	75.00
Crtptorchidectomy (undescended testicle)—	
single	150.00
bilateral	225.00
Culdoscopy (examination of uterus by culdoscope)—	
diagnostic	75.00
(operation on uterus by culdoscope) operative	105.00
Cyst, ovarian, drainage or excision of	300.00
Cyst, vaginal, excision of	75.00
Cystectomy (removal of urinary bladder) with transplantation of ureter—	
partial	450.00
complete	600.00
Cystocele, repair of (hernia of bladder)	225.00
Cystocele (hernia of bladder) and rectocele (hernia of rectum) or other multiple gynecological repair procedures without abdominal approach (except perineorrhaphy or perineoplasty)	300.00
with or without rectocele with perineorrhaphy or perineoplasty.	375.00
Cystorrhaphy (suture of bladder wound, injury or rupture)	300.00
Cystoscopy, diagnostic, including retrograde pyelography or flushing of kidney pelvis	75.00
Cystoscopy, operative, unless otherwise specified in schedule	105.00
Cystolithotomy (cutting into bladder, including removal of tone)	300.00
Cystostomy (cutting into bladder)	300.00
Cystotomy (cutting into bladder)	300.00
Dilatation and curettage, non-puerperal (not associated with pregnancy)	75.00
Enterocele, repair of	
vaginal approach, without cystocele or rectocele	225.00
abdominal approach	300.00
vaginal approach, with cystocele or rectocele	300.00
vaginal approach, with or without cystocele or rectocele with perineoplasty or perinorrhaphy	375.00
Epididymectomy (removal of appendage of testicle)—	
single	150.00
bilateral	225.00
Epididymis (appendage of testicle) abscess, drainage of	75.00
Epididymovasostomy (connecting of epididymis to va deferens, unilateral or bilateral)	225.00
Episioperineorrhaphy (suture of recent injury of vulva and perineum)	75.00
Episiorrhaphy (suture of recent injury to vulva)	45.00
Fallopian tube transection (dividing) of	300.00
Fallopian tube, ligation (tying off) of	300.00
Fistula, closure of vaginal	150.00
Fistula, vesicovaginal (bladder-vaginal) or vesicouterine (bladder-uterus) closure of	450.00
Hydrocele (collection of fluid in outer sac of testicle) excision of—	
single	150.00
bilateral	225.00
Hydrocele (collection of fluid in outer sac of testicle) tapping of (paracentesis)	45.00
Hypenectomy (cutting away of hymen)	30.00
Hymenotomy (incision of hymen)	30.00
Hysterectomy (removal of uterus) total or sub-total, irrespective of approach	450.00
Hysteropexy (fixation of uterus)	300.00
Hysterotomy (cutting into uterus)	300.00
Hysterorrhaphy (suture of ruptured uterus)	300.00
Hysterosalpingostomy (connecting of fallopian tubes to uterus)	300.00
Intravenous pyleogram	75.00
Kidney abscess, drainage of, [illegible] dependent procedure	300.00
Kidney, fixation of	450.00
Kidney, removal of or cutting into	600.00
Manchester or Pothergills Operation (fixation of uterus-hysttrepexy)	300.00
Ceatetomy (cutting of external opening of urinary passage)	90.00
Myomectomy (removal of fibroid or muscular tumor of uterus) independent procedure	300.00
Nephrectomy or heminephrectomy (removal of all or part of kidney) with or without ureterectomy	[illegible]
Nephrolithotomy with removal of calculus (removal of kidney stone)	[illegible]
Nephropexy (fixation or suspension of kidney)	[illegible]
Nephrorrhaphy (suture of kidney wound or injury)	[illegible]
Nephrostomy (cutting into kidney)	[illegible]
Nephrotomy (cutting into kidney) with exploration	[illegible]
Oophorectomy (removal of ovary) or salpingo-oophorectomy (removal of ovary and fallopian tubes)	[illegible]
Oophoropexy (fixation or suspension of ovary)	[illegible]
Oophorplasty (plastic repair of ovary)	[illegible]
Orchidectomy (excision of testicle)—	
single	[illegible]
bilateral	[illegible]
Orchidectomy (excision of testicle) for malignant tumor	[illegible]
Orchidopexy (fixation of undescended testicle)—	
single	[illegible]
bilateral	[illegible]
Ovarian cysts or abscesses, drainage or excision of	[illegible]
Pan-Hysterectomy (complete removal of uterus)	[illegible]
Penis, amputation of, partial	[illegible]
Penis, amputation of, complete	[illegible]
Penis, amputation of, complete, including regional lymph nodes	[illegible]
Penis, excision or fulguration of warts	each [illegible]
Penis, epispadias, complete procedure (repair of defect of urethra)	[illegible]
Penis, hypospadias complete procedure (repair of defect of urethra)	[illegible]
Perineoplasty (plastic repair of perineum)	[illegible]
Perineoplasty (plastic repair of perineum) including repair of laceration of rectum	[illegible]
Perineorrhaphy (suturing of perineum) independent procedure	[illegible]
Perineorrhaphy (suturing of perineum) with other gynecological repair procedures	[illegible]
Perineal (adjacent to kidney) abscess, drainage of, independent procedure	[illegible]
Polypectomy (removal of polyps), one or more	[illegible]
Pregnancy, ectopic (outside of uterus) operation for	[illegible]
Prepuce (foreskin) dorsal or lateral "slit" of	[illegible]
Prostate, removal of, by open operation (complete procedure)	[illegible]
Prostate, removal of, by endoscopic means (transurethral resection	[illegible]
Prostatolithitomy (removal of prostatic calculus (stones)	[illegible]
Prostatotomy (external drainage of prostatic abscess)	[illegible]
Pyelolithotomy (cutting into kidney) with removal of calculus (stone)	[illegible]
Pyeloplasty (plastic repair of kidney) with or without operation on ureter	[illegible]
Pyelostomy (cutting into kidney) with drainage	[illegible]
Pyelotomy (cutting into kidney) with exploration	[illegible]
Rectocele (hernia of rectum into vagina), repair of	[illegible]
Rectocele (hernia of rectum) and cystocele (hernia of bladder) or other multiple gynecological repair procedures without abdominal approach (except perineorrhaphy or perineoplasty)	[illegible]
with or without cystocele with perineorrhaphy or perineoplasty	[illegible]
Renal capsulectomy (decapsulation of kidney)—	
unilateral	[illegible]
bilateral	[illegible]
Renal (kidney) vessels, division or transection of aberrant	[illegible]
Salpingectomy (removal of fallopian tubes) or salpingo-oophorectomy (removal of tubes and ovary)	[illegible]
Salpingo-oophorectomy (removal of oviduct and ovary, one or both sides)	[illegible]
Salpingoplasty (plastic repair of fallopian tubes)	[illegible]
Scrotum (pouch containing testes) abscess, incision and drainage of—	
requiring hospital residence	[illegible]
not requiring hopital residence	[illegible]
Scrotum (pouch containing testes) resection of	[illegible]
Skene's gland, incision of—	
requiring hospital residence	[illegible]
not requiring hospital residence	[illegible]
Skene's gland, excision or fulguration of	[illegible]
Sympathectomy, pre-sacral	[illegible]
Testis, reduction of torsion (twisting of cord) of	[illegible]
Trachelectomy (excision of cervix), independent procedure	[illegible]
Tracheloplasty (plastic repair of uterine cervix)	[illegible]

Transurethral resection of bladder 300.00

Ureter (tube from kidney to bladder)—opening of, strictures of endoscopic procedures) 105.00

Ureter (tube from kidney to bladder) transplantation to skin (ureterostomy)—
unilateral 300.00
bilateral 600.00

Ureter (tube from kidney to bladder) tumors or stones, removal of—
by open cutting operation 300.00
by endoscopic means 105.00

Ureterectomy (excision of ureter), complete or partial 300.00

Ureterocystostomy (anastomosis of ureter to bladder)—
unilateral 300.00
bilateral 600.00

Ureteroenterostomy (anastomosis of ureter to bowel)—
unilateral 300.00
bilateral 600.00

Ureterolithotomy (removal of stone from ureter) with removal of calculus, open operation 300.00

Ureteroplasty, plastic operation on ureter (stricture)—
without plastic operation on renal pelvis 300.00
with plastic operation on renal pelvis 600.00

Ureterotomy (cutting into ureter) with exploration or drainage.... 300.00

Ureterostomy (transplantation of ureter to skin)—
unilateral 300.00
bilateral 600.00

Ureteropyelostomy (anastomosis of ureter and renal pelvis)..... 600.00

Urethra, excision of carcinoma of 300.00

Urethra, prolapse of mucosa, female, repair of 150.00

Urethra, stricture of, open operation 150.00

Urethra, stricture of, intra-urethral cutting operation through endoscope 105.00

Urethral caruncle, excision of or electro-cauterization..... 75.00

Urethral sphincter, female, plastic operation 225.00

Urethrocele, repair of (female) independent procedure..... 225.00

Urethroplasty, plastic operation on urethra, including hypospadias or epispadias, complete procedure 225.00

Urethrorrhaphy (suture of urethral wound or injury) 150.00

Urethrostomy (cutting into urethra), independent procedure 150.00

Urethrotomy (cutting into urethra), open operation, independent procedure 150.00

Urethrovaginal fistula (abnormal opening between urethra and vagina), closure of 300.00

Uterus, cutting operation on the organ and its appendages with abdominal approach (unless otherwise specified in schedule)..... 300.00

Vagina, reconstruction of congenital deformity 225.00

Vaginal septum, excision of 75.00

Varicocele, excision of (removal of varicose swelling of spermatic cord)—
unilateral 150.00
bilateral 225.00

Vasectomy (removal of vas deferens)—
unilateral 60.00
bilateral 90.00

Vasotomy (cutting of vas deferens) or ligation (one or both sides—independent procedure)—
unilateral 45.00
bilateral 75.00

Ventrofixation (fixation of uterus, hysteropexy) 300.00

Ventrosuspension (suspension of uterus) 300.00

Vesiculectomy (removal of seminal vesicle)—
unilateral 300.00
bilateral 450.00

Vulvectomy (removal of vulva)
partial 150.00
complete 225.00
with bilateral regional lymph nodes 375.00

Glands

Lymph Glands

Excision of lymph node for diagnosis or biopsy 30.00

Lymphadenectomy, radical, upper neck or axilla—
unilateral 300.00
bilateral 375.00

Lymphadenectomy, radical cervical or groin
unilateral 375.00
bilateral 450.00

Simple excision of complete lymph node for tuberculosis, etc.... 105.00

Mammary Glands—See Breast

Salivary Glands

Parotid abscess, drainage of 75.00
Parotid gland, removal of 225.00
Parotid tumor, removal of, benign 225.00
Parotid tumor, removal of, mixed or malignant 450.00
Ranula (retention cyst of mouth), excision of 75.00
Salivary fistula (abnormal opening or tract), closure of 150.00
Sialolithotomy (removal of salivary calculus) 75.00
Submaxillary gland, excision of 150.00

Thyroid and other Endocrine Glands

Goitre

Hemithyroidectomy (removal of part of thyroid) 300.00
Isthmectomy (removal of isthmus of thyroid) 300.00
Ligation (tying off) of thyroid arteries not followed by thyroidectomy—
one or more at one operation 150.00
two or more stage operation 225.00
Removal of adenoma or benign tumor of thyroid (no payment for X-ray treatment of thyroid) 300.00
Thyroid, remnant, excision of 300.00
Thyroid, removal of, complete or sub-total (complete procedure including ligation of thyroid arteries, to be treated as one operation 450.00
Adrenalectomy, partial or total (removal of part or all of adrenal gland) 300.00
Carotid body tumor, excision of 300.00
Hypophysectomy (removal of hypophysis) 600.00
Parathyroidectomy (removal of para thyroids) 450.00
Pinealectomy (removal of pineal body) 600.00
Thymectomy (removal of thymus gland) 450.00

Heart or Cardiac

Angiogram, cutting operation for exposure of vessel..... 75.00
Aorta, coarctation of, correction of 600.00
Arteriogram, cutting operation for exposure of vessel 75.00

Cardiorrhaphy (suture of heart wound or injury) 750.00
Cardiotomy (cutting into heart) with exploration or removal of foreign body 600.00
Catheterization of heart (independent complete procedure) 150.00
Commissurotomy (operation on valve of heart) 600.00
Congenital defects, correction of, such as patent ductus arteriosis, coarctation of aorta, pulmonary stenosis 750.00

Patent ductus arteriosis, correction of 750.00
Pericardiectomy (operation on pericardium of heart) 600.00
Pericardiocentesis (puncture of pericardial space for aspiration)..... 75.00
Pericardiotomy (cutting into pericardium of heart) with exploration, drainage or removal of foreign body 600.00
Pulmonary stenosis, correction of 600.00

Valvulectomy (operation on valve of heart) 600.00
Valvulotomy (incision of valve of heart) 600.00

Hernia

Herniotomy—herniorrhapy—hernioplasty
single—inguinal, femoral, umbilical, ventral or incision..... 300.00
bilateral—inguinal, or femoral 375.00
hiatal or diaphragmatic 600.00

Injection method, entire course of treatment—
single 30.00
more than one hernia 75.00

Incision and Drainage

Incision and drainage, debridement or removal of foreign bodies—
requiring hospital residence 60.00
not requiring hospital residence 30.00

NOTE:

1. Where debridement and suturing both subscribed to, pay both fees.

2. Removal of bone plates or pins except removal of traction pins or other traction appliances (as this is always a separate and distinct procedure) 75.00

Joints

Arthrectomy--pay arthrodesis fee.

Arthrodesis (fusing of joint, operative ankylosis with or without tendon transplant)—

Ankle or ankle and foot	375.00
Elbow	375.00
Finger, one or more joints	225.00
Foot or ankle and foot	375.00
Hip	450.00
Knee	375.00
Shoulder	375.00
Spine, including sacroiliac, except coccyx	450.00
Wrist	375.00

Arthroplasty (reconstruction, functional restoration of joint with or without bone or fascial graft)—

Ankle, or foot and ankle	450.00
Elbow	450.00
Finger, including metacarpal-phalangeal joint.....each	225.00
Foot, or ankle and foot	450.00
Hip	525.00
Knee (except semi-lunar cartilage)	450.00
Shoulder	450.00
Spine (including intervertebral disc operations)	450.00
Tempero-mandibular	375.00
Toes, including metatarso-phalangeal joint.....each	225.00
Wrist	450.00

Arthrotomy (incision into joint—independent procedure—with exploration and drainage or removal of loose or foreign body)—

Ankle	225.00
Elbow	225.00
Finger.....each	75.00
Foot (including bunionectomy)	150.00
Hand	150.00
Hip	225.00
Knee (except semilunar cartilage)	225.00
Semi-lunar cartilage excision	300.00
Shoulder	225.00
Tempero-mandibular	225.00
Toes.....each	75.00
Wrist	225.00

Manipulation of joint under general anesthesia dislocations excluded, including application of cast or traction—

Ankle	75.00
Elbow	75.00
Hip	75.00
Knee	75.00
Shoulder	75.00
Wrist	75.00
Spine (with hospitalization and immobilization)	105.00
Club foot (with application of cast)—	
initial	80.00
subsequent	80.00
maximum either foot	800.00
Paracentesis	45.00

Pseudoplasty—Pay arthroplasty fee

Pseudotomy—Pay arthrotomy fee

Ligaments and Tendons

Achilles tendon, lengthening or shortening	150.00
Baker cyst, excision of	150.00
Ganglion (cyst of tendon sheath), excision of	75.00
Ligaments and tendons, cutting or transplant—	
single	150.00
multiple	225.00
Suture of avulsed (torn away) tendon to skeletal attachment—	
single	150.00
Tenovitis, stenosing (release of contracted tendon sheath)	150.00
Tendon, suturing of—	
single	105.00
multiple	150.00
Tenotomy (cutting of tendon)—	
single	150.00
multiple	225.00
Trigger finger, or stenosing synovitis (release of contracted tendon sheath)	150.00

NOTE: Club foot open operations are payable under "Cutting into Joint"—$37.50 plus cutting operation on tendon—$75.00 (each foot).

Muscles and Fascia

Biopsy	75.00
Diaphragm rupture, suture of—	
(transthorac approach)	600.00
(abdominal approach)	375.00
Dupuyten's Contracture (hand).....each hand	150.00
Fasciotomy (cutting of fascia)	150.00
Myorrhaphy (suture of muscle) of quadriceps or biceps	150.00
Scalenotomy (cutting of scalenus muscle in neck with or without resection of cervical rib)—	
unilateral	225.00
bilateral	300.00
Sternocleidomastoid muscle, cutting of	225.00
Torticollis (wry neck)—operation for	225.00
Wry neck (torticollis)—operation for	225.00

Nerves

Brachial plexus, exploration of (independent procedure)	450.00
Ganglion injections when done for other than surgical anesthesia (limit of 3).....each	75.00
Glossopharyngeal nerve, resection of	600.00
Infraorbital or supraorbital nerve, evulsion (separating)	75.00
Nerve, crushing of any	75.00
Nerve, suturing of accidental severance of.....each	75.00
Nerve injections when done for other than surgical anesthesia (limit of 3 injections), except no payment will be made when done for dental procedures, sprained ankles or pruritus ani.....each	75.00
Neurolysis (freeing of nerve, or transposition of)	225.00
Occipital nerve, evulsion (separating) of	150.00
Phrenic nerve, transection (dividing in two) of	75.00
Retrogasserian neuretomy (cutting of nerve) for trigeminal neuralgia (tic douloureux)	700.00
Spinal nerve roots, transection (diving in two) of	600.00
Sympathectomies (cutting of sympathetic nerve) of cervical areas—	
unilateral	300.00
bilateral	500.00
Sympathectomies (cutting of sympathetic nerve) of dorsal, lumbar, sacral areas—	
unilateral	450.00
bilateral	600.00
Trigeminal nerve, transection (dividing in two) of	600.00
Vagotomy (cutting of vagus nerve in stomach)	300.00
Vestibular nerve, transection (dividing in two) of	600.00

Obstetrical Procedures

Delivery of child or children	200.00
Caesarean section, including delivery	300.00
Abdominal operation for extra-uterine or ectopic pregnancy	300.00
Miscarriage	75.00

NOTE: This fee payable where there is a surgically induced or spontaneous miscarriage or abortion.

If there is a spontaneous abortion or miscarriage, surgical manipulation may be presumed.

When there is a premature birth whether alive or not, pay delivery fee

Paracentesis

Tapping (of abdomen, chest, bladder other than catheterization ear drum, hydrocele, joint, or bone)	45.00
Eye (anterior chamber for inflammatory exudate or glaucoma)	60.00
Spine—	
Simple spinal puncture	45.00
Myelography, spinal puncture for (exclusive of X-rays)	90.00
Pneumoencephalogram	150.00
Pneumoencephalography, spinal puncture for (exclusive of X-rays)	90.00
Ventricle—	
Ventriculography, including drill tap or taps (exclusive of X-rays)	150.00

Pilonidal Cyst or Sinus

Excision (removal) of	150.00

Plastic Operations

Where the operation is described as being done in multiple stages only one fee will be allowed for the complete procedure.

Anoplasty (plastic operation for imperforate anus or stricture)	300.00
Cleft Palate—Palatoplasty—(plastic operation for cleft palate)—	
one stage operation	300.00
two stage operation	375.00
with harelip operation	525.00
Ear—	
Otoplasty (plastic repair—for protruding ears)—each ear	150.00
Otoplasty (plastic reconstruction of ear with graft of skin or cartilage)—each ear	300.00
Epispadias (plastic operation on urethra) complete procedure	225.00
Eyelid—	
Operation for ectropion (repair of eyelid folded out)	210.00
Operation for entropion (repair of eyelid folded in)	210.00
Ptosis (correction of drooping eyelid), operation complete, each eyelid	150.00
Fatty tissue, removal of excess	150.00
Feet, webbing of (syndactylism)—each foot	150.00
with skin grafting	225.00
Grafts (complete procedure)	
Arterial (see ARTERIES & VEINS)	
Bone (obtaining bone graft material from another part of body)	75.00
Skin—	
not more than 2 square inches	75.00
2 to 25 square inches	150.00
25 to 50 square inches	300.00
50 to 100 square inches	450.00
Over 100 square inches	600.00
Tube graft	450.00

NOTE: Where scar tissue, ulcerations, tumors, etc. are removed and skin grafting necessary after these procedures, two fees are payable.

Hands, webbing of (syndactylism)—each hand	150.00
with skin grafting	225.00
Harelip—	
unilateral	225.00
bilateral	300.00
combined with palatoplasty	525.00
Hypospadias (plastic operation on urethra), complete procedure	225.00
Nose—Rhinoplasty—all reconstruction operations	150.00
Otoplasty (plastic repair—for protruding ears)—each ear	150.00
Otoplasty (plastic reconstruction of ear with graft of skin or cartilage)—each ear	300.00
Palatoplasty—(plastic operation for cleft palate)—	
one stage operation	300.00
two stage operation	375.00
with harelip operation	525.00
Rhinoplasty (plastic operation on nose), complete procedure	150.00
Scar tissue, excision of	105.00
Skin, correction of contracture, without grafting	105.00
Skin Planing—by wire brush or sandpapering	300.00
Skin, removal of excess	150.00
Syndactylism (webbing of hand or foot)—each	150.00
with skin grafting	225.00
Z-plasty	105.00

NOTE: For undercutting, no fee payable.

Rectum

NOTE: Where any of below procedures are accomplished by electro-coagulation or electro-dessication, fee is payable.

Abscess, incision and drainage of ischio-rectal, perianal, submucous—	
requiring hospital residence	75.00
not requiring hospital residence	30.00
incision and drainage of supraelevator area	105.00
Anoplasty (plastic operation) for imperforate anus or stricture	300.00
Cryptectomy (removal of pockets in rectum) single or multiple	45.00
Fissure, cutting operation for correction of	75.00
Fistula in ano, cutting operation for—	
single	150.00
multiple	225.00
Hemorrhoidectomy (removal of hemorrhoids or piles)—	
External	75.00
Internal or internal and external	150.00
Injection treatment (complete procedure)	75.00
Hemorrhoids, thrombosed, incision of	45.00
Papillae, hypertrophied (enlarged), excision of	45.00
Proctectomy (resection of rectum)	600.00
Proctopexy (fixation of rectum), abdominal, for prolapse	300.00
Proctoplasty (plastic repair of rectum) for prolapse	225.00
Proctorrhaphy (suture of rectum)—	
closure of rectourethral fistula	225.00
closure of rectovesical fistula	225.00
Proctoscopy (examination of rectum by proctoscope)—	
diagnostic	30.00
(operation on rectum by proctoscope) operative	75.00
Proctotomy (cutting into rectum)	150.00
Prolapse of rectum, cutting operation for	225.00
Pruritus ani, undercutting for or neurotomy (treatment of [illegible]hing skin of anus)	150.00
Sigmoidoscopy (examination of lower colon by sigmoidoscope) diagnostic	30.00
(operation on lower colon by sigmoidoscope) operative	75.00
Sphincteroplasty, anal (plastic operation for fecal incontinence)	300.00
Sphincterotomy, division of anal sphincter	150.00
Tabs, external hemorrhoidal, excision of (single or multiple)	45.00

Skull

Cutting into cranial cavity (drill taps excepted)	600.00
Drill taps—	
single	75.00
multiple	150.00
Electrical shock treatments (each)	60.00
Electroencephlogram	60.00
Ventriculography, including drill tap or taps (exclusive of X-ray)	150.00

Spine or Spinal Cord

Coccyx (bone at lower end of spine), removal of all or part of	150.00
Cordotomy (cutting into spinal cord) or any other operation on the spinal cord	600.00
Intervertebral discs, operation with removal of	450.00
with fusion (Laminectomy)	600.00
Myelography, spinal puncture for (exclusive of X-rays)	90.00
Pneumoencephelography, spinal puncture for (exclusixe of X-rays)	90.00

Sacroiliac or other spinal fusions	450.00
Spinal cord tumor, operation for	600.00
Spinal puncture (simple) ..... each	45.00
(up to a maximum of $100)	
Vertebra (bone of spinal column) or Vertebrae (coccyx excepted), operation with removal of portion of	450.00

Suturing, Accidental Wounds

Fees set out below for skin sutures or clips, and muscle sutures, are doubled when laceration of face below hairline, forward of ears and above chin is sutured.

Skin structures, per suture or clip—	
first	15.00
each additional	3.00
Muscle structures, per suture—	
first	15.00
each additional	6.00
Nerves, end to end (each)	75.00

Sympathectomies

Cervical (cutting away of sympathetic nerves of the neck)—	
unilateral	300.00
bilateral	450.00
Cervicothoracic (cutting away of sympathetic nerves of neck and chest)—	
unilateral	450.00
bilateral	600.00
Lumbar (cutting away of base of spine)—	
unilateral	450.00
bilateral	600.00
Presacral neurectomy (cutting away of nerve network in front of of the sacrum)	300.00
Splanchnicectomy (cutting away of visceral nerves)	600.00
Thoracic (Dorsal) (cutting away of sympathetic nerves of chest)—	
unilateral	450.00
bilateral	600.00
Vagotomy (cutting of vagus nerve in stomach)	300.00

Teeth—Dental Surgery

Alveolectomy or Alveoplasty (surgical removal or plastic repair of alveolar process)—	
requiring hospital residence	75.00
not requiring hospital residence	30.00

If the surgeon removes two or more adjoining teeth and subscribes to an alveolectomy or alveoplasty, we will allow fees as set out below:

1. If Alveolectomies are done on both the mandible (lower jaw bone) and maxilla (upper jaw bone) irrespective of whether done at the same time or not, allow two fees.
2. If alveolectomies involving multiple extractions from different locations in the same jaw (mandible or maxilla) at the same sitting, allow one fee.
3. Alveolectomies done at different sitting qualify for additional fee or fees.
4. If impaction removed at same sitting as alveolectomy (involving two ore more additional teeth) allow two fees.
5. Alveolectomy, an independent procedure, not coincident to tooth extraction—fee payable for each jaw (mandible or maxilla).

Apicoectomy—root amputation (odontotomy) ..... each	75.00
Gingivectomy (cutting away of gum)—	
requiring hospital residence	75.00
not requiring hospital residence	30.00

NOTE:

1. *In hospital — pay two fees if both jaws involved.*
2. *Not requiring hospital residence — pay fee for cutting procedure performed at each sitting.*

Impacted tooth, removal of irrespective of hospital residence	75.00
Each additional impaction at same sitting	45.00
Odontotomy—root amputation—apecoectomy ..... each	75.00
Odontectomy—removal of unerupted tooth—	
requiring hospital residence	75.00
not requiring hospital residence	30.00
Retained or residual root, an independent procedure, not coincident to alveolectomy or alveoplasty or attempted extraction of tooth and when gum is cut—	
requiring hospital residence ..... each	75.00
not requiring hospital residence ..... each	30.00
Unerupted tooth (odontectomy) removal of—	
requiring hospital residence	75.00
not requiring hospital residence	30.00

Toenails—Ingrown

Toenails, Ingrown—cutting operation into tisaue—	
requiring hospital residence—	
unilateral	75.00
bilateral	150.00
not requiring hospital residence—	
unilateral	30.00
bilateral	60.00

Tumors

Tumors—

Benign or superficial tumors and cysts or abscesses—

requiring hospital residence	75.00
not requiring hospital residence	30.00

Exception: Cervical Polyps (see Genito-Urinary Tract)

NOTE:

1. *Fee payable when doctor excises, incises or employs electro-desiccation or electro-coagulation.*
2. *Fee payable when doctor certifies to removal by X-ray, radium, freezing or injection directly into tumor.*
3. *Fee not payable when removed by acid, ointments or caustics.*
4. *If multiple tumors are removed by more than one incision, pay for each incision up to maximum limit of $300.*

Exception:

a. Cervical, rectal polyps—pay single fee.
b. Nasal polyps—see Ear, Nose or Throat.

5. *See Breast.*

Malignant tumors of face, lip or skin	150.00

NOTE: Regardless of means employed—this means by X-ray, radium, electro-desiccation or electro-coagulation.

Consider the treatment of tumor of body orifices as falling in this category, e.g. mouth (including pharynx, tongue, nasal cavity, anterior urethra, vagina and cervix) when X-ray, radium, electro-desiccation or electro-coagulation are employed. (Do not include body of uterus).

Malignant tumors other than of face, lip or skin or exceptions listed above. Fee will depend on location of tumor and type of surgery done. Refer to section of schedule involved. Minimum fee $200. Only cutting operations will qualify for fee.

Varicose Veins

Injection treatment, complete procedure (one or both legs)	120.00
Cutting operation, complete procedure (Stripping)—	
One leg	150.00
Both legs	240.00
Saphenous or Femoral—vein ligation—	
unilateral	75.00
bilateral	150.00

Note on ligations:

Where done separately and not with operation or injection for varicose veins. If diagnosis is varicose veins, pay for Varicose Veins.

⚓

Except for operations expressly excepted in the Schedule, the Trustees shall, subject to the terms and conditions of the Regulations, determine a payment for any cutting operation not listed in the Schedule consistent with the payment for any listed operation of comparable difficulty and complexity, but in no event shall such payment exceed the applicable Maximum Surgical Benefit.

SCHEDULE B

MAXIMUM ALLOWANCES FOR DENTAL PROCEDURES

	Maximum Allowances	
I. EXAMINATIONS, PROPHYLAXIS AND X-RAYS		
Examination, charting and prophylaxis Maximum: twice during any 12-month period.....	$ 7.50	)
14 standard x-rays Maximum: once during coverage.....	10.50	)Entire Series
4 bitewing x-rays Maximum: once during any 12 month period.....	4.50	)$22.50
Intra-oral film, occlusal view (in lieu of standard x-rays, edentulous jaws) Maximum: one each jaw during coverage, each film.....	3.75	
Tempero-mandibular joint film	15.00	
Anterior-posterior film-head and jaws.....	15.00	
Lateral film of head and jaws.....	12.00	
II. EXTRACTIONS		
Impacted teeth Upper third molars, each.....	30.00	
Other than upper third molars, each	52.50	
Malposed tooth (demonstrable by x-ray)	22.50	
A tooth having markedly enlarged roots requiring bone removal (demonstrable by x-ray)	22.50	
Other extractions, each tooth	7.50	

Continued

M.M.& P. Welfare Plan - Rules and Regulations

SCHEDULE B

MAXIMUM ALLOWANCES FOR DENTAL PROCEDURES

	Maximum Allowances
III. FILLINGS	
Silver Amalgam	
One Surface	$ 7.50
Two Surfaces	13.50
Three Surfaces	18.00
2 Two Surfaces, in one tooth	18.00
Maximum for more than 3 surfaces in one tooth	22.50
Synthetic Porcelain, per filling	7.50
Maximum, 3 fillings per tooth	22.50
Gold or Porcelain Inlays (as substitute for fillings)	
One Surface	10.50
Two Surfaces	18.00
Three or more surfaces, maximum, one tooth	22.50
Cast Gold Crowns (as substitute for fillings)	
3/4	18.00
Full	22.50
Full with veneer	22.50
Shell crowns	15.00
Recementing Inlays or Crowns	7.50
IV. PALLIATIVE	
Emergency visit for relief of pain (excluding prosthetic adjustment or periodental treatment)	6.00
V. PERIODONTIA	
Root scaling, prophylaxis, medication and minor bite correction:	
Each treatment	6.00
Maximum treatment 3 in any 12 month period	18.00
Gingivectomy, each quadrant	37.50
Bacteriological, examination	15.00

Continued

M.M.& P. Welfare Plan - Rules and Regulations

SCHEDULE B

MAXIMUM ALLOWANCES FOR DENTAL PROCEDURES

	Maximum Allowances
VI. ORAL SURGERY (other than extractions)	
Fracture of jaw (if not covered by any other benefit in Plan)	
Lower jaw, closed reduction	$ 135.00
Upper or lower jaw, open reduction	225.00
Removal of cysts, including necessary extractions	37.50
Apicoectomy	56.25
Alveolectomy, maximum per jaw	30.00
Biopsy	15.00
Closure of oral antral fistula	52.50
Removing Labial fraenum	30.00
VII. ROOT CANAL THERAPY (X-ray of satisfactory completion required)	
Removal of pulp and filling canal:	
First canal	45.00
Each additional canal, same tooth	15.00
VIII. SPACE MAINTAINERS	
Acrylic	45.00
Metal	52.50

Continued

SCHEDULE B

MAXIMUM ALLOWANCES FOR DENTAL PROCEDURES

	Maximum Allowances
IX. PROSTHETIC SERVICES (supplying, fitting and inserting the listed Appliances)	
Dentures, Full and Partial	
Full, either jaw, each, except as provided in next item.$	151.87
Full, both immediate and permanent, with permanent dentures inserted within three years from date of insertion of immediate denture;	
Maximum, each jaw	255.00
Partial, Bilateral acrylic or comparable base, either jaw, 2 or more full clasps and rests, each	106.87
Partial, bilateral, chrome cobalt alloy or gold base, 2 or more full cast clasps with occlusal rests, acrylic attachments and porcelain or acrylic teeth, either jaw, each ...	151.87
Alveolectomy for denture preparation, maximum per jaw.....	22.50
Adding teeth to partial denture to replace natural teeth not part of existing denture,	
First tooth	15.00
Each additional tooth.....	15.00
Obturator (not including denture).....	56.25
Rebasing, one per denture per 3 year period	28.12
Relining, one per denture per 3 year period.....	22.50
Bridgework, Fixed	
Abutments	
3/4 Crown	50.62
Full cast	61.87
Full cast with veneer (6 anteriors)	84.37
Inlay used as abutment, 2 surface	39.37
3 surface	50.62
Pontics	
Tru-pontic (porcelain or acrylic facing with cast backing) ...	45.00
Pontic or other type	28.12
Bridgework, Removable	
Steel with clasps and lugs (Nesbett)	
One tooth.....	56.25
Two teeth.....	67.50
Three teeth	78.75
Jacket crowns to restore teeth (not repairable by fillings - 8 upper and lower front only)	
Porcelain jacket	73.12
Full cast with veneer.....	84.37
Acrylic jacket	56.25

Continued

M. M. & P. Welfare Plan - Rules and Regulations

SCHEDULE B

MAXIMUM ALLOWANCES FOR DENTAL PROCEDURES

	Maximum Allowances
X. REPAIR OF PROSTHETIC APPLIANCE	
Dentures, Acrylic	
Repairing body	$ 15.00
Replacing broken teeth, per tooth	7.50
Replacing broken teeth but not requiring other repairs:	
First tooth	15.00
Each additional tooth	7.50
Replacing clasp, clasp intact	18.00
Replacing broken clasp with new clasp	30.00
Bridgework	
Replacing broken pin facing with Bryant's Steele's repairs	15.00
Reattaching broken Steele's facing, post on backing intact	7.50
Replacing broken Steele's facing post on backing broken	15.00
XI. ORTHODONTIC BENEFIT	
Diagnosis and initial orthodontic appliances	125.00
Active orthodontic treatment:	
Maximum: 20 months, per month of treatment	25.00
Passive orthodontic treatment:	
Maximum: 3 treatments - one every 6 months	20.00
Total maximum benefit (Benefit is limited to children with one lifetime benefit per child).	685.00

****

233a

SCHEDULE SHOWING ALLOCATION OF CONTRIBUTIONS BETWEEN THE M. M. & P. WELFARE AND PENSION PLANS

Effective Date		Total Contributions	Allocated To Welfare	Pension
6/16/71	For Allocation Reference:	Contribution Rates For Lic. Deck Officers same as Rate Eff. 1/1/71		
6/16/71	2.288	(D.C. - PRO - 25 Year Fund)	.415	1.873
6/16/71	2.85	(D.C. - PRO - 15 Year Fund)	.415	2.435
6/16/71	2.576	(TKR. - PRO - 25 Year Fund)	.468	2.108
6/16/71	3.207	(TKR. - PRO - 15 Year Fund)	.468	2.739
7/01/71	15.107	(D.C. & TKR. - 25 Year Fund)	2.497	12.610
7/01/71	18.887	(D.C. & TKR. - 15 Year Fund)	2.497	16.390
7/01/71	2.517	(D.C. - PRO - 25 Year Fund)	.416	2.101
7/01/71	3.147	(D.C. - PRO - 15 Year Fund)	.416	2.731
7/01/71	2.833	(TKR. - PRO - 25 Year Fund)	.468	2.365
7/01/71	3.541	(TKR. - PRO - 15 Year Fund)	.468	3.073
1/01/72	17.387	(D.C. & TKR. - 25 Year Fund)	2.497	14.890
1/01/72	21.847	(D.C. & TKR. - 15 Year Fund)	2.497	19.350
1/01/72	2.897	(D.C. - PRO - 25 Year Fund)	.416	2.481
1/01/72	3.640	(D.C. - PRO - 15 Year Fund)	.416	3.224
1/01/72	3.260	(TKR. - PRO - 25 Year Fund)	.468	2.792
1/01/72	4.095	(TKR. - PRO - 15 Year Fund)	.468	3.627
6/16/72	20.420	(D. C. & TKR. - 25 Year Fund)	5.530	14.890
6/16/72	24.880	(D. C. & TKR. - 15 Year Fund)	5.530	19.350
6/16/72	3.403	(D. C. - PRO - 25 Year Fund)	.922	2.481
6/16/72	4.146	(D. C. - PRO - 15 Year Fund)	.922	3.224
6/16/72	3.829	(TKR. - PRO - 25 Year Fund)	1.037	2.792
6/16/72	4.664	(TKR. - PRO - 15 Year Fund)	1.037	3.627

(Con't.)

WATSON EXHIBIT 34

(December 10, 1973)

Martin E. Segal Report Re Pensions (Excerpts)

Table 5-B

Pensions Awarded in Year Ended December 31, 1969
by Type and by Age on Effective Date

Age on effective date	Total	Type of pension			
		Normal	Reduced	Early	Disability
Total	245	198	18	6	23
40 - 44	8	8	-	-	-
45 - 49	25	24	-	-	1
50 - 54	29	27	-	-	2
55 - 59	44	34	-	-	10
60	12	11	-	-	1
61	6	6	-	-	-
62	21	16	-	2	3
63	15	15	-	-	-
64	14	11	-	3	-
65	18	14	2	1	1
66	9	7	1	-	1
67	11	9	1	-	1
68	4	3	-	-	1
69	6	2	3	-	1
70 - 74	17	8	8	-	1
75 - 79	4	2	2	-	0
80 - 84	1	1	-	-	-
85 - 89	1	-	1	-	-

Table 5-A

Pensions Awarded in Year Ended December 31, 1970
by Type and by Age on Effective Date

Age on effective date	Total	Type of pension			
		Normal	Reduced	Early	Disability
Total	267	229	14	3	21
40 - 44	7	6	-	-	1
45 - 49	24	23	-	-	1
50 - 54	42	37	-	-	5
55 - 59	41	34	-	-	7
60	13	12	-	-	1
61	11	11	-	-	-
62	19	18	-	-	1
63	18	17	-	-	1
64	18	13	-	2	3
65	22	18	3	1	-
66	13	12	1	-	-
67	13	11	2	-	-
68	8	6	2	-	-
69	6	6	-	-	-
70 - 74	9	5	3	-	1
75 - 79	3	-	3	-	-

MM&P

COMPANIES' EXHIBIT A

Income Tax Returns 1959, 1960

ONLY COPY AVAILABLE

FORM **1040**
U.S. Treasury Department
Internal Revenue Service

U. S. INDIVIDUAL INCOME TAX RETURN—1959

236a

or Other Taxable Year Beginning ..... 1959, Ending ..... 19.....

(PLEASE TYPE OR PRINT)

Name George E. and Helga Watson
(If this is a joint return of husband and wife, use first names and middle initials of both)

Home address 6609 Jolicrest Drive
(Number and street or rural route)

Galveston
(City, town, or post office) (Postal zone number) Texas (State)

ATTACH CHECK OR MONEY ORDER HERE

Your Social Security Number	Occupation	Wife's Social Security Number	Occupation
090 14 3083	Seaman	None	Housewife

Exemptions

1. Check blocks which apply. Check for wife only if all of her income is included in this return, or if she had no income.
   (a) Regular $600 exemption — ☒ Yourself ☒ Wife
   (b) Additional $600 exemption if 65 or over at end of taxable year — ☐ Yourself ☐ Wife
   (c) Additional $600 exemption if blind at end of taxable year — ☐ Yourself ☐ Wife
   Enter number of exemptions checked → 2
2. List first names of your children who qualify as dependents; give address if different from yours.
   Enter number of children listed →
3. Enter number of exemptions claimed for other persons listed at top of page 2 .....
4. Enter the total number of exemptions claimed on lines 1, 2, and 3 2

Income

5. Enter all wages, salaries, bonuses, commissions, tips, and other compensation before payroll deductions (including any excess of expense account or similar allowance paid by your employer over your ordinary and necessary business expenses. See instructions, pp. 5-6.)

Employer's Name	Where Employed (City and State)	(a) Wages, etc.	(b) Income Tax Withheld
Marine Transport Lines, Inc.,	New York, New York	$ 9469 74	$ 1615 59
Master Mates and Pilots Vacation plan,	N.Y., N.Y.	5804 41	934 29
	F.I.C.A.		120 00
	Enter totals here →	$15,269 15	$ 2669 88
6. Less: Excludable "Sick Pay" in line 5 (See instructions, page 7. Attach required statement.)		171 61	
7. Balance (line 5 less line 6)		$15,097 54	
8. Profit (or loss) from business from separate Schedule C			
9. Profit (or loss) from farming from separate Schedule F			
10. Other income (or loss) from page 3 (Dividends, Interest, Rents, Pensions, etc.)		260 76	
11. Adjusted Gross Income (sum of lines 7, 8, 9, and 10)		$14,836 78	

If the social security tax (FICA) withheld from wages exceeded $120 because you or your wife had more than one employer, see instructions, page 5.

● Check if unmarried "Head of Household" ☐, or "Surviving Widow or Widower" with dependent child ☐. (See Instructions pp. 7-8)

12. TAX on income on line 11. (If line 11 is under $5,000, and you do not itemize deductions, use Tax Table on page 16 of instructions to find your tax and check here ☐. If line 11 is $5,000 or more, or if you itemize deductions, compute your tax on page 2 and enter here the amount from line 9, page 2) $ 2911 03

Tax due or refund

If income was all from wages, omit lines 13 through 16

13. (a) Dividends received credit from line 5 of Schedule J ..... $ 2669 88
    (b) Retirement income credit from line 12 of Schedule K .....
14. Balance (line 12 less line 13) $
15. Enter your self-employment tax from separate Schedule C or F $
16. Sum of lines 14 and 15 $
17. (a) Tax withheld (line 5 above). Attach Forms W-2, Copy B ..... $
    (b) Payments and credits on 1959 Declaration of Estimated Tax (See page 8 instructions) ● .....
    ●District Director's office where paid ..... $
18. If your tax (line 12 or 16) is larger than your payments (line 17), enter the **BALANCE DUE** here → $ 241 15
    Pay in full with this return to "Internal Revenue Service." If less than $1.00, file return without payment.
19. If your payments (line 17) are larger than your tax (line 12 or 16), enter the **OVERPAYMENT** here → $
    If less than $1.00, the overpayment will be refunded only upon application.
20. Amount of line 19 to be: (a) Credited on 1960 estimated tax $ ....., (b) Refunded $ .....

you receive an expense allowance or reimbursement, or charge expenses to your employer? ☐ Yes ☐ No (See page 6, instructions)
"Yes," did you submit an itemized accounting of expenses to your employer? ☐ Yes ☐ No

unty in which you live: Galveston

Is your wife (husband) filing a separate return for 1959? ☐ Yes ☒ No. If "yes," enter her (his) name and do not claim the exemption on this return.

If you owe any Federal tax for years before 1959, enter here the Internal Revenue District where the account is outstanding.

declare under the penalties of perjury that this return (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct, and complete return. If the return is prepared by a person other than the taxpayer, his declaration is based on all the information g to the matters required to be reported in the return of which he has any knowledge.

(Taxpayer's signature and date) (If this is a joint return, BOTH HUSBAND AND WIFE MUST SIGN) Helga Watson Feb 5 1960
(Wife's signature and date)

(Signature of preparer other than taxpayer) (Address) (Date)

870—16 76813-1

Form 1040—1939 **EXEMPTIONS FOR PERSONS OTHER THAN YOUR WIFE AND CHILDREN** 237a

Name	Relationship	Months lived in your home. If born or died during year, also write "B" or "D"	Did dependent have gross income of $600 or more?	Amount YOU furnished for dependent's support. If 100% write "All"	Amount furnished by OTHERS including dependent
				$	$

Enter on line 3, page 1, the number of exemptions claimed above

→ If an exemption is based on a multiple-support agreement of a group of persons, attach the declarations described on page 5 of instructions.

ITEMIZED DEDUCTIONS—IF YOU DO NOT USE TAX TABLE OR STANDARD DEDUCTION

If Husband and Wife (Not Legally Separated) File Separate Returns and One Itemizes Deductions, the Other Must Also Itemize

State to whom paid. If necessary write more than one item on a line or attach additional sheets. Please put your name and address on any attachments.

Contributions	Total paid but not to exceed 20% of line 11, page 1, except as described on page 8 of instructions	$
Interest	Total interest	
Taxes	Total taxes	
Medical and dental expense (If 65 or over, see instructions, page 10)	Submit itemized list. Do not enter any expense compensated by insurance or otherwise 1. Cost of medicines and drugs INEXCESS of 1 percent of line 11, page 1 — $ 2. Other medical and dental expenses 3. Total — $ 4. Enter 3 percent of line 11, page 1 5. Allowable amount (excess of line 3 over line 4). (See instructions, page 10, for limitations)	
Other Deductions (See page 10 of instructions and attach information required)		
	TOTAL DEDUCTIONS (Enter here and on line 2 of Tax Computation below) — Total	$

TAX COMPUTATION—IF YOU DO NOT USE THE TAX TABLE

1. Enter Adjusted Gross Income from line 11, page 1	$ 14836	78
2. If deductions are itemized above, enter total of such deductions. If deductions are not itemized *and line 1, above, is $5,000 or more,* enter the smaller of 10 percent of line 1 or $1,000 ($500 if a married person filing a separate return)	1000	00
3. Balance (line 1 less line 2)	13836	78
4. Multiply $600 by total number of exemptions claimed on line 4, page 1	1200	00
5. Taxable Income (line 3 less line 4)	12636	78
6. Tax on amount on line 5. Use appropriate tax rate schedule on page 15 of instructions. Do not use Tax Table on page 16	2911	03
7. If you had capital gains and the alternative tax applies, enter the tax from separate Schedule D		
8. Tax credits. If you itemized deductions enter:		
(a) Credit for income tax payments to a foreign country or U. S. possession (Attach Form 1116) — $ 2669.88		
(b) Tax paid at source on tax-free covenant bond interest and credit for partially tax-exempt interest		
(c) Total — Enter here →		
9. Enter here and on line 12, page 1, the amount shown on line 6 or 7 less amount claimed on line 8(c)	$ 2911	03

870 16—78413-1 GPO

IF INCOME WAS ALL FROM SALARIES AND WAGES, TEAR OFF THIS PAGE AND FILE ONLY PAGES 1 AND 2

Schedule A.—INCOME FROM DIVIDENDS (Income from Savings (Building) and Loan Associations and Credit Unions should be entered as interest in Schedule B)

	Amount	
1. Name of qualifying corporation declaring dividend (See instructions, page 11): (Indicate by (H), (W), (J) whether stock is held by husband, wife, or jointly) Diana Stores Corp.	$ 32.00	
2. Total		
3. Exclusion of $50 (If both husband and wife received dividends, each is entitled to exclude not more than $50 of his (her) own dividends)	$ 32.00	
4. Excess, if any, of line 2 over line 3. Enter here and on line 1, Schedule J	$	
5. Name of nonqualifying corporation declaring dividend:		
6. Enter total of lines 4 and 5		$ 00.00 00

Schedule B.—INCOME FROM INTEREST (This includes interest credited to your account)

Name of payer	Amount	Name of payer	Amount
Guaranty Federal Savings and Loan	$ 93.21		$
		Enter total here→	93. 21

Schedule D Summary.—GAINS AND LOSSES FROM SALES OR EXCHANGES OF PROPERTY

1. From sale or exchange of capital assets (from separate Schedule D)	
2. From sale or exchange of property other than capital assets (from separate Schedule D)	

Schedule E.—INCOME FROM PENSIONS AND ANNUITIES (See instructions, page 12)

Part I.—General Rule

1. Investment in contract	$	4. Amount received this year	$
2. Expected return	$	5. Amount excludable (line 4 multiplied by line 3)	
3. Percentage of income to be excluded (line 1 divided by line 2)	%	6. Taxable portion (excess of line 4 over line 5)	

Part II.—Where your employer has contributed all or part of the cost and your contribution will be recovered tax free within three years. If your cost was fully recovered in prior years or if you did not contribute to the cost, enter the total amount received in line 5 omitting lines 1 through 4.

1. Cost of annuity (amounts you paid)	$	4. Amount received this year	$
2. Cost received tax-free in past years			
3. Remainder of cost (line 1 less line 2)	$	5. Taxable portion (excess, if any, of line 4 over line 3)	

Schedule G.—INCOME FROM RENTS AND ROYALTIES

1. Kind and location of property	2. Amount of rent or royalty	3. Depreciation (explain in Sch. I) or depletion	4. Repairs (attach itemized list)	5. Other expenses (attach itemized list)
Resident Rent House 907 Avenue L Galveston, Texas	$ 140.00	$ 315.78	$ 44.90	$ 133.28 taxes
1. Totals	$ 140.00	$ 315.78	$ 44.90	$ 133.28
2. Net income (or loss) from rents and royalties (column 2 less sum of columns 3, 4, and 5)				loss 353 97

Schedule H.—OTHER INCOME

1. Partnerships (name and address)	
2. Estates or trusts (name and address)	
3. Other sources (state nature)	
Total income (or loss) from above sources (Enter here and on line 10, page 1)	loss $ 260 76

IF INCOME WAS ALL FROM SALARIES AND WAGES, TEAR OFF THIS PAGE AND FILE ONLY PAGES 1 AND 2

Schedule I.—EXPLANATION OF DEDUCTION FOR DEPRECIATION CLAIMED IN SCHEDULE G

1. Kind of property (if buildings, state material of which constructed). Exclude land and other nondepreciable property	2. Date acquired	3. Cost or other basis	4. Depreciation allowed (or allowable) in prior years	5. Method of computing depreciation	6. Rate (%) or life (years)	7. Depreciation for this year
Resident Rent House	1946	$7500.00	$1500.00	Straight	4 %	$300.00
Frame building used as Resident until 12/1/52						
Cyclone Fence	1955	$ 157.89	$ 63.00		10 %	$ 15.78

Schedule J.—DIVIDENDS RECEIVED CREDIT (See Instructions, page 14)

1. Amount of dividends on line 4, Schedule A	$
2. Tentative credit (4 percent of line 1)	
LIMITATION ON CREDIT	
3. Tax shown on line 12, page 1, plus amount, if any, shown on line 8(b), page 2	
4. 4 percent of taxable income (Taxable Income Means: (a) If tax is computed on page 2, the amount shown on line 5, page 2. (b) If Tax Table is used, the amount shown on line 11, page 1, less 10 percent thereof, and less the deduction for exemptions ($600 multiplied by the number of exemptions claimed on line 4, page 1).)	
5. Dividends received credit. Enter here and on line 13(a), page 1, the smallest of the amounts on line 2, 3, or 4, above	$

Schedule K.—RETIREMENT INCOME CREDIT (See Instructions, page 14)

This credit does not apply if: 1. If you received pensions or annuities of $1,200 or more from Social Security or Railroad Retirement; 2. If you are under 65 years of age and had "earned income" of $2,100 or more; OR 3. If you are 65 or over and under 72, and had "earned income" of $2,400 or more.

If separate return use column B only. If joint return, use column A for wife and column B for husband →

	A	B
Did you receive earned income in excess of $600 in each of any 10 calendar years before the taxable year 1959? Widow or widowers see instructions, page 14	☐ Yes ☐ No	☐ Yes ☐ No
If answer above is "Yes" in either column, furnish all information below in that column.		
1. Retirement income for taxable year.		
(a) For taxpayers under 65 years of age: Enter only income received from pensions and annuities under public retirement systems and included in line 11, page 1, of this return	$	$
(b) For taxpayers 65 years of age or older: Enter total of pensions and annuities, interest, and dividends included in line 11, page 1, and gross rents included in column 2, Schedule G, page 3, of this return		
LIMITATION ON RETIREMENT INCOME		
2. Maximum amount of retirement income for credit computation	$ 1,200 00	$ 1,200 00
3. Deduct:		
(a) Amounts received in taxable year as pensions or annuities under the Social Security Act, the Railroad Retirement Acts, and certain other exclusions from gross income		
(b) Earned income received in taxable year: (This line does not apply to persons 72 years of age or over)		
(1) Taxpayers under 65 years of age, enter amount in excess of $900		
(2) Taxpayers 65 or over and under 72, enter amount in excess of $1,200		
4. Total of lines 3(a) and 3(b)		
5. Balance (line 2 minus line 4)		
6. Line 5 or line 1, whichever is smaller		
7. Tentative credit (20 percent of line 6)		
8. Total tentative credit on this return (total of amounts on line 7, columns A and B)		
LIMITATION ON RETIREMENT INCOME CREDIT		
9. Amount of tax shown on line 12, page 1		
10. Less: Dividends received credit from line 5, Schedule J, above		
11. Balance (line 9 less line 10)		
12. Retirement income credit. Enter here and on line 13(b), page 1, the amount on line 8 or line 11, whichever is smaller	$	

U. S. GOVERNMENT PRINTING OFFICE 870—16—78318-1

4561

Watson Defendant's Exhibit A

243a

Form 1040 — U.S. INDIVIDUAL INCOME TAX RETURN—1960

Department of the Treasury — Internal Revenue Service

For Other Taxable Year Beginning ..... 1960, Ending ..... 19....

PLEASE PRINT OR TYPE

First name and initial: GEORGE E & HOLGA — Last name: WATSON

(If this is a joint return of husband and wife, use first names and middle initials of both)

Home address: 6602 HIGHWAY 146

(Number and street or rural route)

GALVESTON — (City, town, or post office) — TEXAS (State)

Your Social Security Number	Occupation	Wife's Social Security Number	Occupation
099 14 3083	SEAMAN	449 72 8279	HOUSEWIFE

Exemptions

1. Check blocks which apply. Check for wife only if all of her income is included in this return, or if she had no income.
   (a) Regular $600 exemption ..... ☒ Yourself ☒ Wife
   (b) Additional $600 exemption if 65 or over at end of taxable year ..... ☐ Yourself ☐ Wife
   (c) Additional $600 exemption if blind at end of taxable year ..... ☐ Yourself ☐ Wife
   Enter number of exemptions claimed → 2
2. List first names of your children who qualify as dependents; give address if different from yours. Enter number of children listed →
3. Enter number of exemptions claimed for other persons listed at top of page 2 .....
4. Enter the total number of exemptions claimed on lines 1, 2, and 3 2

5. Enter all wages, salaries, bonuses, commissions, tips, and other compensation before payroll deductions (including any excess of expense account or similar allowance paid by your employer over your ordinary and necessary business expenses. See instructions, pp. 5-6.)

Employer's Name	Where Employed (City and State)	(a) Wages, etc.	(b) Federal Income Tax Withheld
[illegible]	[illegible]	$ 12505 97	$ 2126 57
[illegible] Co.	[illegible]	51 30	7 90
	FICA		54
	Enter details here →	$ 12557 27	$ 2136 01
		$ 12557 27	
		28 50	
		$ 12528 77	

If the social security tax (FICA) withheld from wages exceeded $144 because you or your wife had more than one employer, see instructions, page 5.

6. Less: Excludable "Sick Pay" in line 5 (See instructions, page 7. Attach required statement.) .....
7. Balance (line 5 less line 6) .....
8. Profit (or loss) from business from separate Schedule C .....
9. Profit (or loss) from farming from separate Schedule F .....
10. Other income (or loss) from page 3 (Dividends, Interest, Rents, Pensions, etc.) .....
11. Adjusted Gross Income (sum of lines 7, 8, 9, and 10) .....

● Check if unmarried "Head of Household" ☐, or "Surviving Widow or Widower" with dependent child ☐ (See instructions pp. 7-8)

12. TAX on income on line 11. (If line 11 is under $5,000, and you do not itemize deductions, use Tax Table on page 16 of instructions to find your tax and check here ☐. If line 11 is $5,000 or more, or if you itemize deductions, compute your tax on page 2 and enter here the amount from line 9, page 2) ..... $ 2166 13

If income was all from wages, omit lines 13 through 16

13. (a) Dividends received credit from line 5 of Schedule J ..... $
    (b) Retirement income credit from line 12 of Schedule K .....
14. Balance (line 12 less line 13) .....
15. Enter your self-employment tax from separate Schedule C or F .....
16. Sum of lines 14 and 15

17. (a) Federal tax withheld (line 5, col. (b) above). Attach Forms W-2, Copy B. $ 2136 01
    (b) Payments and credits on 1960 Declaration of Estimated Tax (See page 8 instructions) ●
    District Director's office where paid .....
18. If your tax (line 12 or 16) is larger than your payments (line 17), enter the BALANCE DUE here → $ 30 10
    Pay in full with this return to "Internal Revenue Service." If less than $1.00, this return without payment.
19. If your payments (line 17) are larger than your tax (line 12 or 16), enter the OVERPAYMENT here → $
    If less than $1.00, the overpayment will be refunded only upon application.
20. Amount of line 19 to be: (a) Credited on 1961 estimated tax $ ..... (b) Refunded $ .....

ou receive on expense allowance or reimbursement, or charge expenses to your employer? ☐ Yes ☒ No (See page 6, instructions)
," did you submit an itemized accounting of expenses to your employer? ☐ Yes ☐ No

dy in which you live.

TEXTON

Is your wife (husband) filing a separate return for 1960? ☐ Yes ☒ No. If "yes," enter her (his) name and do not claim the exemption on this return.

Do you owe any Federal tax for years before 1960? ☐ Yes ☒ No. If "Yes," enter here the Internal Revenue District where the account is outstanding

declare under the penalties of perjury that this return (including any accompanying schedules and statements) has been examined by me and to the best of my knowledge and belief is a true, correct, and complete return. If the return is prepared by a person other than the taxpayer, his declaration is based on all the information to the matters required to be reported in the return of which he has any knowledge.

(Taxpayer's signature and date) (If this is a joint return, BOTH HUSBAND AND WIFE MUST SIGN) Holga Watson 3/26/61
(Wife's signature and date)

(Signature of preparer other than taxpayer) (Address) (Date)

Form 1040—1960 **EXEMPTIONS FOR PERSONS OTHER THAN YOUR WIFE AND CHILDREN** Page 2

Name	Relationship	Months lived in your home. If born or died during year, write "B" or "D"	[illegible]	Amount you contributed	[illegible]
				$	$

Enter on line 3, page 1, the number of exemptions claimed above.
→ If an exemption is based on a multiple-support agreement of a group of persons, attach the declarations described on page 5 of instructions.

ITEMIZED DEDUCTIONS—IF YOU DO NOT USE TAX TABLE OR STANDARD DEDUCTION

If Husband and Wife (Not Legally Separated) File Separate Returns and One Itemizes Deductions, the Other Must Also Itemize

State to whom paid. If necessary, write more than one item on a line or attach additional sheets. Please put your name and address on any attachments.

Contributions

Total paid but not to exceed 20% of line 11, page 1, except as described on page 8 of instructions ..... $

Interest

[illegible] MORTGAGE : 6669 GULFCREST DRIVE
HELD BY [illegible] GALVESTON TEX.
[illegible] TAXES

Total interest 412 00

Taxes

Real estate taxes	47.00	State income taxes	
State and local sales taxes		Other taxes (specify)	
[illegible]	84.76		
[illegible]	3.00		
AUTO [illegible]	23.76		

Total taxes 159 52

Medical and dental expense

(Submit itemized list. Do not enter any expense compensated by insurance or otherwise)

NOTE: If you or your wife are 65 years of age or over, or if you or your wife have a dependent parent 65 or over, do not use this schedule. See page 9 of the instructions for larger deductions. Others use schedule below.

1. Total cost of medicine and drugs	$	
2. 1 percent of line 11, page 1		
3. Excess, if any, of line 1 over line 2		
4. Other medical and dental expenses		
5. Total of lines 3 and 4		
6. Enter 3 percent of line 11, page 1	$	
7. Allowable amount (excess of line 5 over line 6; see page 10 for maximum limitation)		

Other Deductions (See page 10 of instructions and attach information required)

MASTER MATES + 2 LOTS [illegible] UNION DUES

Total 120 00

TOTAL DEDUCTIONS (Enter here and on line 2 of Tax Computation, below) $ 1459 13

TAX COMPUTATION—IF YOU DO NOT USE THE TAX TABLE

1. Enter Adjusted Gross Income from line 11, page 1	$ 12528 77
2. If deductions are itemized above, enter total of such deductions. If deductions are not itemized **and line 1, above, is $5,000 or more,** enter the smaller of 10 percent of line 1 or $1,000 ($500 if a married person filing a separate return)	1459 13
3. Balance (line 1 less line 2)	11069 64
4. Multiply $600 by total number of exemptions claimed on line 4, page 1	1200 00
5. Taxable Income (line 3 less line 4)	9869 64
6. Tax on amount on line 5. Use appropriate tax rate schedule on page 15 of instructions. **Do not use Tax Table on page 16**	2166 13
7. If you had capital gains and the alternative tax applies, enter the tax from separate Schedule D	
8. Tax credits. If you itemized deductions, enter: (a) Credit for income tax payments to a foreign country or U.S. possession (Attach Form 1116) $	
(b) Tax paid at source on tax-free covenant bond interest and credit for partially tax-exempt interest	
(c) Total. Enter here →	
9. Enter here and on line 12, page 1, the amount shown on line 6 or 7 less amount claimed on line 8(c)	$ 2166 13

Form 1040—1969

242a

IF INCOME WAS ALL FROM SALARIES AND WAGES, TEAR OFF THIS PAGE AND FILE ONLY PAGES 1 AND 2

Page 3

Schedule A.—INCOME FROM DIVIDENDS (Income from Savings (Banking) and Loan Associations and Credit Unions should be entered as interest in Schedule B)

1. Name of qualifying corporation declaring dividend (See instructions, page 11): (Indicate by (H), (W), (J) whether stock is held by husband, wife, or jointly)	Amount	
DIANA STORES CORP.	$ 32.00	
2. Total		
3. Exclusion of $50 (If both husband and wife received dividends, each is entitled to exclude not more than $50 of his (her) own dividends)	$ 32.00	
4. Excess, if any, of line 2 over line 3. Enter here and on line 1, Schedule J	$ -0-	
5. Name of nonqualifying corporation declaring dividend:		
6. Enter total of lines 4 and 5		$ 00 00

Schedule B.—INCOME FROM INTEREST (This includes interest credited to your account)

Name of payer	Amount	Name of payer	Amount
FIRST FEDERAL SAVINGS + LOAN	$ 113.77		$
		Enter total here→	113 77

Schedule D Summary.—GAINS AND LOSSES FROM SALES OR EXCHANGES OF PROPERTY

From sale or exchange of capital assets (from separate Schedule D)	
From sale or exchange of property other than capital assets (from separate Schedule D)	

Schedule E.—INCOME FROM PENSIONS AND ANNUITIES (See instructions, page 12)

Part I.—General Rule

Investment in contract	$	4. Amount received this year	$
Expected return	$	5. Amount excludable (line 4 multiplied by line 3)	
Percentage of income to be excluded (line 1 divided by line 2)	%	6. Taxable portion (excess of line 4 over line 5)	

Part II.—Where your employer has contributed all or part of the cost and your contribution will be recovered tax-free within three years, or cost was fully recovered in prior years, enter the total amount received on line 5 omitting lines 1 through 4.

Cost of annuity (amounts you paid)	$	4. Amount received this year	$
Cost received tax-free in past years			
Remainder of cost (line 1 less line 2)	$	5. Taxable portion (excess, if any, of line 4 over line 3)	

Schedule G.—INCOME FROM RENTS AND ROYALTIES

1. Kind and location of property (Identify whether rent or royalty)	2. Amount of rent or royalty	3. Depreciation (explain in Sch. I) or depletion	4. Repairs (attach itemized list)	5. Other expenses (attach itemized list)
RESIDENT [illegible]	$ 320.00	$ [illegible]	$ [illegible]	$ 124.99
				Insur. 28.00
Totals	$	$	$	$
Net income (or loss) from rents and royalties (column 2 less sum of columns 3, 4, and 5)				[illegible]

Schedule H.—OTHER INCOME OR LOSSES

Partnerships (name, address, and nature of income)	
Estates or trusts (name and address)	
Other sources (state nature)	
Total income (or loss) from above sources (Enter here and on line 10, page 1) LOSS	$ 28 50

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1960

2:13a

Form 1040—1960

Page 4

Schedule I.—EXPLANATION OF DEDUCTION FOR DEPRECIATION CLAIMED IN SCHEDULE C

1. Kind of property (If buildings, state material of which constructed). Exclude land and other nondepreciable property	2. Date acquired	3. Cost or other basis (Exclude land)	4. Depreciation allowed (or allowable) in prior years	5. Method of computing depreciation	6. Rate (%) or life (years)	7. Depreciation for this year
RESIDENT RENT HOUSE	1944	25000.00	1800.00	STRAIGHT	4%	300.00
FRAME HOUSE USED AS RESIDENT UNTIL 1945						
FURNACE PARTS	1952	1.42	72.15	STRAIGHT	10%	15.78
Additional first year depreciation (Attach statement)						
Total						

Schedule J.—DIVIDENDS RECEIVED CREDIT (See instructions, page 14)

1. Amount of dividends on line 4, Schedule A		$
2. Tentative credit (4 percent of line 1)		
LIMITATION ON CREDIT		
3. Tax shown on line 12, page 1, plus amount, if any, shown on line 8(b), page 2		
4. 4 percent of taxable income		
Taxable Income Means (a) If tax is computed on page 2, the amount shown on line 5, page 2. (b) If Tax Table is used, the amount shown on line 11, page 1, less 10 percent thereof, and less the deduction for exemptions ($600 multiplied by the number of exemptions claimed on line 4, page 1).		
5. Dividends received credit. Enter here and on line 13(a), page 1, the smallest of the amounts on line 2, 3, or 4, above		$

Schedule K.—RETIREMENT INCOME CREDIT (See instructions, page 14)

This credit does not apply 1. If you received pensions or annuities of $1,200 or more from Social Security or Railroad Retirement; 2. If you are under 65 years of age and had "earned income" of $2,100 or more; OR 3. If you are 65 or over and under 72, and had "earned income" of $1,680 or more.

If separate return, use column B only. If joint return, use column A for wife and column B for husband →

	A	B
Did you receive earned income in excess of $600 in each of any 10 calendar years before the taxable year 1960? Widow or widowers see instructions, page 14	☐ Yes ☐ No	☐ Yes ☐ No
If answer above is "Yes" in either column, furnish all information below in that column.		
1. Retirement income for taxable year:		
(a) For taxpayers under 65 years of age: Enter only income received from pensions and annuities under public retirement systems and included in line 11, page 1, of this return	$	$
(b) For taxpayers 65 years of age or older: Enter total of pensions and annuities, interest, and dividends included in line 11, page 1, and gross rents included in column 2, Schedule G, page 3, of this return		
LIMITATION ON RETIREMENT INCOME		
2. Maximum amount of retirement income for credit computation	$ 1,200 00	$ 1,200 00
3. Deduct:		
(a) Amounts received in taxable year as pensions or annuities under the Social Security Act, the Railroad Retirement Acts, and certain other exclusions from gross income		
(b) Earned income received in taxable year: (This line does not apply to persons 72 years of age or over)		
(1) Taxpayers under 65 years of age, enter amount in excess of $900		
(2) Taxpayers 65 or over and under 72, enter amount in excess of $1,200		
4. Total of lines 3(a) and 3(b)		
5. Balance (line 2 minus line 4)		
6. Line 5 or line 1, whichever is smaller		
7. Tentative credit (20 percent of line 6)		
8. Total tentative credit on this return (total of amounts on line 7, columns A and B)		
LIMITATION ON RETIREMENT INCOME CREDIT		
9. Amount of tax shown on line 12, page 1		
10. Less: Dividends received credits from line 5, Schedule J, above		
11. Balance (line 9 less line 10)		
12. Retirement income credit. Enter here and on line 13(b), page 1, the amount on line 8 or line 11, whichever is smaller		$

U.S. GOVERNMENT PRINTING OFFICE c70—16—76135-1

COMPANIES' EXHIBIT B

Chart—Calculation of Pecuniary Loss,
February 3, 1963 to January 1, 1974

A: 2/3/63 (Date of Death) To 1/1/74 (Present)

GEORGE WATSON
12/20/73

A & B

244a

	Period		1 Date of Income Flow	2 Years To be Compounded	3 Compound Rate i	4 Compound Factor	5 Unadjusted Income	6 Annual Income	7 Consumption Allowance %	8 Consumption Allowance $	9 Lost Income	10 Compound Value
1	2/3/63	- 12/31/63	7/1/63	10.5	4.50	1.5096	16,118	?	50%	8059	8059	12,166
2												
3	1/1/64	- 12/31/64	7/1/64	9.5	4.25	1.4850	16,253		50%	8127	8127	12,068
4												
5	1/1/65	- 12/31/65	7/1/65	8.5	4.25	1.4245	17,787		50%	8894	8894	12,669
6												
7	1/1/66	- 12/31/66	7/1/66	7.5	4.75	1.4163	16,279		50%	8140	8140	11,529
8												
9	1/1/67	- 12/31/67	7/1/67	6.5	4.5	1.3312	18,002		50%	9001	9001	11,982
10												
11	Promotion 1/1/68	- 12/31/68	7/1/68	5.5	4.5	1.2737	20,693		50%	10,347	10,347	13,181
12												
13	1/1/69	- 12/31/69	7/1/69	4.5	4.5	1.2191	23,432		50%	11,716	11,716	14,282
14												
15	1/1/70	- 12/31/70	7/1/70	3.5	4.5	1.1666	28,404		50%	14,202	14,202	16,567
16												
17	1/1/71	- 12/31/71	7/1/71	2.5	4.5	1.1163	30,676		50%	15,338	15,338	17,122
18												
19	Pension 1/1/72 (SEGAL Rept)	12/31/72	7/1/72	1.5	5.13	1.0779	12,120		50%	6060	6060	6532
20												
21	1/1/73	- 12/31/73	7/1/73	.5	5.47	1.0270	12,120		50%	6060	6060	6224
22											105,944	~~130,859~~
23												134,322

ONLY COPY AVAILABLE

COMPANIES' EXHIBIT C

Chart—Calculation of Pecuniary Loss, January 1, 1974 to July 1, 1985

B: 4/1/74 (Present) To 7/1/1985 (Expected Date of Death)

George Watson
12/Nov/73

A & C

245a

	Period.	Date of Income Flow	2 Years To be Discounted	3 Discount Rate	4 Discount Factor	5 Pension Income	6 Consumption Allowance %	7 Consumption Allowance $	8 Net Pension	9 Present Value
1	1/1/74 – 12/31/74	7/1/74	.5	6.00	.97129	12120	50	6060	6060	5886
2										
3	1/1/75 – 12/31/75	7/1/75	1.5	6.81	.90590	12120	50	6060	6060	5490
4										
5	1/1/76 – 12/31/76	7/1/76	2.5	7.08	.84284	12120	50	6060	6060	5107
6										
7	1/1/77 – 12/31/77	7/1/77	3.5	7.08	.78708	12120	50	6060	6060	4769
8										
9	1/1/78 – 12/31/78	7/1/78	4.5	7.40	.71024	12120	50	6060	6060	4304
10										
11	1/1/79 – 12/31/79	7/1/79	5.5	7.40	.65824	12120	50	6060	6060	3989
12										
13	1/1/80 – 12/31/80	7/1/80	6.5	7.40	.61004	12120	50	6060	6060	3697
14										
15	1/1/81 – 12/31/81	7/1/81	7.5	6.55	.62137	12120	50	6060	6060	3765
16										
17	1/1/82 – 12/31/82	7/1/82	8.5	6.55	.58317	12120	50	6060	6060	3534
18										
19	1/1/83 – 12/31/83	7/1/83	9.5	6.35	.55718	12120	50	6060	6060	3376
20										
21	1/1/84 – 12/31/84	7/1/84	10.5	6.66	.50814	12120	50	6060	6060	3079
22										
23	1/1/85 To 7/1/85	4/1/85	11.25	6.25	.50600	~~12120~~ 6060	50	6060	6060	3064
24									72,720	50,060
25										
26										
27										
28										
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OPINION OF HON. JOHN M. CANNELLA,

Dated July 31, 1974

Copy for counsel

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Petition for Limitation of Liability	:	63 AD 237 (JMC)
of	:	63 Civ. 237
MARINE SULPHUR TRANSPORT CORPORATION,	:	63 Civ. 451)
		63 Civ. 451)
as Owner,	:	63 Civ. 451)
and	:	63 Civ. 486
MARINE TRANSPORT LINES, INC.,	:	63 Civ. 534
as Demise Charterer,	:	
of the Vessel MARINE SULPHUR QUEEN	:	OPINION

Appearances:

Mendes & Mount, New York City, for petitioners, Daniel Huttenbrauck, New York City, of counsel.

Pressman & Schribner, New York City, for claimants Denton, Schneeberger and Van Sickle, Donald E. Klein, New York City, of counsel.

Bingham, Englar, Jones & Houston, New York City, for claimant Martin, John B. Shields, New York City, of counsel.

Schwartz & O'Connell, New York City, for claimants Fanning and Watson, Marvin Schwartz and Burton M. Epstein, New York City, of counsel.

CANNELLA, D.J.:

These proceedings are to assess the pecuniary loss sustained by dependent relatives of six men who died with the catastrophic sinking of the Marine Sulphur Queen on or

about February 3, 1963. The entire crew was lost with the vessel. Many of the claims for deaths of crew members have been settled. Six, namely, the claims of the legal representatives of John L. Denton, James V. Fanning, Adam Martin, Eugene V. Schneeberger, Albert R. Van Sickle and George Watson are before the Court, without a jury, for assessment of damages.

In prior proceedings, the court ruled that Marine Transport Corporation, owner, and Marine Transport Lines, Inc., as demise charterer, were not entitled to exoneration from or limitation of liability for damages arising from the deaths of the members of the crew. 312 F.Supp. 1081 (S.D.N.Y. 1970), affirmed as to the two remaining petitioners, 460 F.2d 89 (2 Cir.), cert. denied, 409 U.S. 782 (1972).

The claimants in the present proceeding have submitted their claims under the Death on the High Seas Act, Title 46 United States Code § 761 et seq., and the Jones Act, Title 46 U.S. Code § 688, which incorporates the provisions of the Federal Employers Liability Act, Title 45 U.S. Code § 51 et seq. The court has jurisdiction under the cited statutes. Each of the claimants has expressly waived trial by jury.

Based on the evidence as presented on the hearings, the court has made a series of charts in an endeavor to

compute the pecuniary loss sustained in each case. The periods of loss are divided into three categories, Span A, Span B and Span C. Span A in each case represents the prejudgment period, that is, the anticipated loss to the dependents from death to judgment; Span B, the anticipated loss from judgment date to retirement, and Span C, the loss from retirement to end of life expectancy. The net loss of Span A carries interest to judgment; the net losses incurred in Spans B and C are discounted to present value.

Lost earnings during Span A have not been difficult to arrive at. The union contracts are in evidence showing the increased earnings in each year of this period and there is evidence concerning somehat higher actual earnings of men in similar positions on replacement vessels. In arriving at the earnings the court has, where the proof permits, averaged the two wage schedules as a practical way to give the plaintiffs some benefit of overtime and other benefits actually received by equivalent employees on the replacement ships.

Span B earnings have been arrived at by allowing a six percent annual increment from judgment to retirement. The claimants have claimed 6-1/2% and the petitioners, in their brief, concede a possibility of 5%. The court

believes that in view of the strong union representation, prevailing inflation, and other factors an annual increment of 6% fairly may be anticipated and has so based its computations for this span.

Retirement (Span C), except in the case of Martin, is based upon the 30 Year Plan, so-called. That is: the highest five years of base pay in the last ten years of employment is averaged and 60% of the resultant constitutes the pension. For the purpose of these computations the court has allowed to retirement an annual 4.6% increase of base pay, there being evidence and valid argument that this was the approximate rate of increase.

Not all of each decedent's gross earnings would redound to the benefit of his dependents. There is to be deducted his personal expenses, income taxes and his share of the costs of the common household. As to personal expenses, the evidence indicates expenditures in the vicinity of $1,000 a year of 1962-63 earnings, which petitioners, by brief, in all cases concede. It is thought, however, that by reason of the rising earnings shown by the schedules a slightly higher figure is indicated. The court has fixed upon the sum of $100 a month, or $1,200 a year, as a modest and fair measure of these expenditures in all cases.

Deductions for taxes is a troublesome point, but the court finds that where income reaches the higher levels it is altogether unrealistic to assume that tax-free income would be available to the wage earner's dependents. The court has deducted federal income taxes in each case where income has reached $25,000 a year or more. In doing so, the court has used standard deductions and exemptions and tax tables current for the pertinent year, and, for years beyond 1973, has projected those of that year.

In arriving at the decedent's share of the common household expenses the court has followed Judge Weinfeld's formula in Petition of Marina Mercante Nicaraguense, S.A., 248 F.Supp. 15, 27 (S.D.N.Y. 1965), modified on other grounds, 364 F.2d 118 (2 Cir. 1966). Cf., Nye v. A/SD/S Svenborg, 358 F.Supp, 145, 153 (S.D.N.Y. 1973); aff'd in part and rev'd. in part on other grounds, ___F.2d ___, Nos. 73-2280, 73-2313 and 73-2417 (2 Cir. July 17, 1974).

Considering the loss during Span A, the court has allowed interest at the rate of 6% compounded annually, and the losses during Spans B and C have been suggested by the contending parties but the court believes that under prevailing economic conditions its determination is realistic.[1/] The petitioners, as an afterthought, have

---

1/ Although expert testimony was submitted on both sides, it was of little help to the court.

urged that simple rather than compound interest should be used. The court declines to do so. Common sense dictates that in the present day interest should be compounded.

The age of majority of the several children on whose behalf claims have been presented and the status of stepchildren present problems to be resolved. With respect to stepchildren (in these cases minor children of a former marriage of the wife not adopted by decedent), there are conflicting views. See Petition of the United States, 418 F.2d 264 (1 Cir. 1969), persuading towards relationship under the statutes "by affinity", and Dickerson v. Continental Oil Company, 449 F.2d 1209 (5 Cir. 1971), demanding consanguinity. The court has followed the later view.

The language of the Death on the High Seas Act, 46 U.S.C. 761 is, in the opinion of the court, unmistakeable. Recovery is allowed for "the exclusive benefit of the decedent's wife, husband, parent, child, or dependent relative . . ."; The Jones Act, 46 U.S.C. 688, incorporating the Federal Employees Liability Act, 45 U.S.C. 51, is equally positive: "for the benefit of the surviving widow or husband and children of such employee. . . ."

Although the court excludes stepchildren from

recovery in these proceedings, they have not been disregarded in considering the element of damages. In each of the two cases where stepchildren are involved, they have been taken into account as dependents for income tax purposes and in the application of "The Weinfeld Formula". The court's reasoning is that loss of the voluntary support of these children in each case resulted in direct pecuniary loss to their mothers who had to assume the burden of their continued support.

No proof has been adduced, but there is argument that in all of these cases the children on whose behalf claims have been made attained majority at the age of 18 years by virtue of state statutes and are cut off at that age from further recovery for nurture or other benefits. The court is in disagreement. It does not believe that the enabling statutes, designed to enlarge benefits for the young, are to be construed as inflicting penalties including divorcement from parental support and guidance. In this area, and particularly since the causes of action arise under federal statutes, the common law applies and the age of maturity for present purposes is found to be age 21. See, Miller v. Miller, 257 Ill. App. 287.

The claimants make claim for an allowance for conscious pain and suffering. There were no survivors of

the sinking and nothing is known of the manner in which these men met their deaths. Instantaneous death is as acceptable as any other theory. In the circumstances recovery is limited to pecuniary loss sustained by the designated beneficiaries. New Orleans v. Northeastern Railroad Company, et al. v. Harris, 247 U.S. 367 (1918); Gardner v. National Bulk Carriers, Inc., 221 F.Supp. 243, 246 (E.D. Va. 1963), aff'd, 333 F.2d 676 (4 Cir. 1964).

There also are claims for "fringe benefits" (Medical-Welfare Plan) and for loss of decedent's services about the house (maintenance, repairs, etc., self-performed). With respect to the indicated "fringe benefits", there is evidence of sums the employer would have paid into the Plan had decedent lived, but the court is in agreement with the petitioners that that is not the true measure of loss. Sweeney v. American Steamship Company, 491 F.2d 1085 (6 Cir. 1974). Absent any proof of the loss suffered by the beneficiaries, an award for these benefits would be purely speculative. Similarly, while there is testimony that the decedents did some work in and about their homes, the court is left empty-handed in attempting to fix any value for the loss of those services. The court has made no allowance for these items of the claims.

Each of the children of lost parentage is entitled to be compensated for the loss of the care, affection, attention and guidance of the lost parent. Moore McCormack Lines v. Richardson, 295 F.2d 583, 588 (2 Cir. 1961), cert. denied, 268 U.S. 989 (1962); Petition of Marina Mercante Nicanaguense, S.A., supra; Nye v. Svenborg, supra. The court fixes the loss at $750 a year generally and at $1,000 a year for children of very tender years to run generally to age 21, but in the case of Van Sickle, a handicapped child, loss of nurture is fixed at $1,250 for the expected life of the lost parent, the court concluding that the child's needs would be greater and lasting.

Where it has been necessary to apportion the general awards among several dependents, the court has rounded the dependent years of each of them, totaled the dependent years of all, and given each his or her fraction of the total years.

Considering the specific cases:

John L. Denton

John L. Denton sailed as First Assistant Engineer and Relief Chief Engineer. He held his Chief Engineer's license and the court finds that it is reasonably certain that he would have sailed as such after five years, namely,

commencing January 1, 1967. He was born on July 3, 1925 and at death had life expectancy of 33.5 years. It is conceded that he probably would have retired at the end of the year 1983 at age 58, at which time he would be eligible for the 30 year pension.

He was survived by his wife, Ann, aged 30, his adopted son Gary Lynn, aged 8, his adopted daughter Marilyn Ann, aged 11, and his natural daughters, Donita Karen, aged 3, and Johna Marie, aged 1.

The court finds the general award as indicated by the appended schedules to be as follows:

Pre-judgment recovery	$218,374	
From judgment to retirement	163,033	
Retirement	48,040	$429,447

Awards for nurture of the children are made as follows: for Marilyn and Gary at the rate of $750 a year and for Donita and Johna at the rate of $1,000 a year. With appropriate pre-judgment interest and subsequent discounts, the awards follow:

Marilyn Ann, born June 22, 1952	$11,427	
Gary Lynn, born July 26, 1955	13,687	
Donita Karen, born April 9, 1960	21,825	
Johna Marie, born June 24, 1962	23,269	70,208
Making the total award		$499,655

The apportionment of the general award of $429,447 is as follows:

Ann - widow	$153,696.82	
Marilyn - daughter	45,204.95	
Gary - son	58,766.43	
Donita - daughter	81,368.91	
Johna - daughter	90,409.89	$429,447

James V. Fanning

James V. Fanning was Permanent Master of the lost vessel and was 44 years old when he met his death. His life expectancy was 31.47 years and he left him surviving a widow 42 years of age, a son, Mark, 16 years of age, and a daughter, Beda, aged 15 years. He would have been eligible for the 30 year pension at the end of September 1982 and at that time retired.

The court finds the general award as indicated by the appended schedules to be as follows:

Pre-judgment recovery	$180,844	
Judgment to retirement	94,504	
Retirement	48,407	$323,755

Awards for the lost nurture of the children at the rate of $750 a year with pre-judgment interest, are as follows:

Mark, born April 2, 1946	$5,394	
Beda, born May 17, 1948	7,679	$ 13,073
Making the total award		$336,828

At the request of the claimants, the children now being of full age and emancipated, the question of the apportionment of the losses among the decedent's beneficiaries is remanded to them for them to attempt to reach agreement thereon, with the court retaining jurisdiction in the event they cannot agree among themselves.

Adam Martin

Adam Martin was born on May 18, 1915 and at the time of his death was 48 years old with a life expectancy of 24.8 years. He was survived by his widow, also aged 48. There are no children of the union. For the voyage upon which he met his death he was sailing as Third Assistant Engineer, but was duly licensed and had been sailing as Second Assistant Engineer. It has been explained that he took this voyage as "Third" to be with friends sailing aboard the vessel. Although he commenced, but did not complete studies to upgrade himself to First Assistant Engineer, the court finds that, at the least, he would have returned to the higher duties of Second Assistant Engineer by the end of the year of the voyage.

The court finds the award as indicated by the appended schedules to be as follows:

Pre-judgment award	$101,119	
Judgment to retirement	57,456	
Retirement	14,060	$172,635

Eugene V. Schneeberger

Eugene V. Schneeberger was born on April 3, 1924 and at the time of his death was 38 years old with a life expectancy of 33 years (April 2, 1996). When the ship was lost he was serving as a Third Assistant Engineer but was licensed as First Assistant Engineer and had sailed both as "First" and "Relief First". The court finds he would have been advanced to Permanent First Assistant Engineer by the year 1968 and to First-Relief Chief Engineer by 1977. Also, that he would have retired at age 57 on July 1, 1981, a few months after his birthday (Petitioner's Brief, Schedule C).

At the time of his death he was living with and supporting his wife, Doris, born June 11, 1932, and her two daughters by a former marriage, Sharon and Lois, aged 12 and 11 respectively. Neither child had been adopted by him, and, although loss of his voluntary support of the children is an item of loss to their mother, the court does not find them entitled to share in the award.

The court finds the award to the widow as indicated by the appended schedules to be as follows:

Pre-judgment recovery	$145,604	
From judgment to retirement	81,551	
Retirement	35,948	$263,103

The widow obtained partial summary judgment of $25,000 by order of the court dated May 24, 1974 and the final award is reduced by that amount to $238,103.

Albert R. Van Sickle

Albert R. Van Sickle sailed as Second Assistant Engineer aboard the Marine Sulphur Queen. He had been sailing at less than full yearly employment and the court accepts the claimant's premise that he would have continued to sail at least 211 days a year. Before his death he had commenced studies to obtain his First Assistant Engineer's license and the court finds it reasonably certain that by 1968 he would have advanced to permanent Second-Relief First Assistant Engineer and by 1975 to First Assistant Engineer.

He was born on August 9, 1923 and was 39 years old at his death when he left him surviving his wife, June Van Sickle, aged 38, and his four-year-old daughter, Valerie, born July 26, 1959. His wife's 19 year old son

by a former marriage also was a member of the household, but had not been adopted by decedent.

The court rejects the stepson's claim for a share of the award, but as it has done in a prior case considers the loss of his voluntary support a pecuniary loss to his mother and has taken this into account in the accompanying computations. The wife would have been dependent upon the deceased for the remainder of his life and it is reasonably certain that his daughter, a brain-damaged child still under extensive medical care and attention, would also continue dependent.

The court finds the general award as indicated by the appended schedules to be as follows:

Pre-judgment recovery	$119,816	
Judgment to retirement	127,338	
Retirement	33,073	$280,227

An award for the nurture of the daughter, Valerie, is made at the rate of $1,250 a year for remainder of decedent's life expectancy. With appropriate pre-judgment interest and subsequent discounts the award for her nurture is $35,443, making the total award $315,670.

The apportionment of the general award of $280,227 is as follows:

June - widow	$140,114	
Valerie - daughter	140,113	$280,227

The awards are to be reduced by the amounts of partial summary judgment granted by order of April 1, 1974.

George Watson

George watson was 51 years old at the time of his death, having been born on December 17, 1911, and had a life expectancy of 25 years. He was sailing as Permanent Chief Mate and as Relief Master. It is stipulated that had he lived he would have advanced in rank to Permanent Master, at least at the beginning of 1968, and the court finds he would have retired at the end of the year 1975 at age 64.

He is survived by his dependent widow, born July 9, 1913 and the dependency would have continued for the remainder of his life. There are no children of the marriage and no other claimants.

The court makes an award as indicated by the appended schedules as follows:

Pre-judgment recovery	$127,205	
Judgment to retirement	16,971	
Retirement	60,572	$204,748

The foregoing shall constitute the court's findings of fact and conclusions of law. Submit decrees in

accordance with the foregoing, together with application for allowances of fees and disbursements in connection with infants' claims.

JOHN M. CANNELLA

JOHN M. CANNELLA
United States District Judge

Dated: New York, N. Y.
July 31, 1974.

JOHN L. DENTON

Span A (Pre-Judgment Recovery) 2/4/63-7/31/74

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amt. Available to Wife and Children	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$13,630.58 1/	4	$1,100		$12,531	$10,025 (80%)	-0- 3/	1.8983	-0-
1964	16,177.30	4	1,200		14,977	11,982 "	$ 7,507 3/	1.7908	$ 13,444
1965	16,658.90	4	1,200		15,459	12,367 "	12,367	1.6895	20,894
1966	17,746.84	4	1,200		16,547	13,238 "	13,238	1.5938	21,099
1967	20,305.52 2/	4	1,200		19,105	15,284 "	15,284	1.5036	22,981
1968	20,613.38	4	1,200		19,413	15,530 "	15,530	1.4185	22,029
1969	22,538.80	4	1,200		21,339	17,071 "	17,071	1.3382	22,844
1970	25,933.48	4	1,200	$4,662.56	20,070	16,056 "	16,056	1.2625	20,271
1971	28,024.14	4	1,200	5,331.68	21,492	17,194 "	17,194	1.1910	20,478
1972	31,500.66	4	1,200	6,020.00	24,281	19,425 "	19,425	1.1236	21,826
1973	33,225.80	4	1,200	6,641.00	25,385	20,308 "	20,308	1.0600	21,526
1974	19,439.00	3	700	4,069.00	14,643	10,982 (75%)	10,982	1.000	10,982
									$218,374

1/ Net after allowance for 1963 wages paid.

2/ Anticipated promotion to Chief Engineer

3/ Adjusted for $14,500 insurance benefits received.

JOHN L. DENTON

Span B (Judgment to Retirement) 8/1/74-12/31/83

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amt. Available to Wife and Children	6% Discount Factor	Current Value
1974	$13,885	3	500	$ 2,907	$10,478	$ 7,859 (75%)	1.0000	$ 7,859
1975	35,489	3	1,200	7,678	26,511	19,883 "	.9434	18,758
1976	37,618 1/	3	1,200	8,609	27,809	20,857 "	.8900	18,563
1977	39,875	2	1,200	9,867	28,808	21,606 "	.8396	18,140
1978	42,268	2	1,200	10,911	30,157	22,618 "	.7921	17,916
1979	44,804	2	1,200	12,052	31,552	23,664 "	.7473	17,684
1980	47,492	2	1,200	13,336	32,956	24,717 "	.7050	17,425
1981	50,342	2	1,200	14,731	34,411	25,808 "	.6651	17,165
1982	53,363	1	1,200	16,616	35,547	23,699 (66-2/3%)	.6274	14,868
1983 2/	56,565	1	1,200	18,227	37,138	24,760 "	.5919	14,655
								$163,033

1/ 6% Annual wage increase projected from 1976 following expiration of current contract.

2/ Age 58.

20-1a

JOHN L. DENTON

Span C (Retirement Income) 1/1/84-12/31/96

Year	Pension [1]	Minors	Taxes	Personal Expenses	Amount Available for Family	Amount Available for Wife	6% Discount Factor	Current Value
1984	$19,536.48	-0-	-0-	$1,200	$18,336	$9,168 (50%)	.5584	$ 5,119
1985	19,536.48			1,200	18,336	9,168 "	.5268	4,830
1986	19,536.48			1,200	18,336	9,168 "	.4970	4,556
1987	19,536.48			1,200	18,336	9,168 "	.4688	4,298
1988	19,536.48			1,200	18,336	9,168 "	.4423	4,055
1989	19,536.48			1,200	18,336	9,168 "	.4173	3,826
1990	19,536.48			1,200	18,336	9,168 "	.3936	3,609
1991	19,536.48			1,200	18,336	9,168 "	.3714	3,405
1992	19,536.48			1,200	18,336	9,168 "	.3503	3,212
1993	19,536.48			1,200	18,336	9,168 "	.3305	3,030
1994	19,536.48			1,200	18,336	9,168 "	.3118	2,859
1995	19,536.48			1,200	18,336	9,168 "	.2942	2,697
1996	19,536.48			1,200	18,336	9,168 "	.2775	2,544
								$48,040

1/ 1973 Base pay of $1,890 increased annually at 4.6% to $1,983 retirement average of last 5 years at 60% equals pension

EXHIBIT 23

JAMES V. FANNING

Span A (Pre-judgment Recovery) 2/4/63-7/31/74)

Year	Wages	No. of Minors	Taxes	Personal Expenses	Amount Available for Family	Amt. Available for Wife and Children	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$17,655	2		$1,100	$16,555	$12,416 (75%)	-0- [1/]	1.8983	-0-
1964	18,214	2		1,200	17,014	12,761 "	$11,177 [1/]	1.7908	$ 20,016
1965	18,762	2		1,200	17,562	13,172 "	13,172	1.6895	22,254
1966	18,454	2		1,200	17,254	12,941 "	12,941	1.5938	20,625
1967	20,479	2		1,200	19,274	14,456 "	14,456	1.5036	21,736
1968	20,693	1		1,200	19,493	12,996 (66-2/3%)	12,996	1.4185	18,435
1969	23,432	1		1,200	22,232	14,822 "	14,822	1.3382	19,835
1970	28,404	0	6,435	1,200	20,769	10,385 (50%)	10,385	1.2625	13,111
1971	30,676	0	6,937	1,200	22,539	11,270 "	11,270	1.1910	13,423
1972	29,331	0	6,319	1,200	21,812	10,906 "	10,906	1.1236	12,254
1973	31,091	0	6,952	1,200	22,939	11,470 "	11,470	1.0600	12,158
1974	19,224	0	4,531	700	13,993	6,997	6,997	1.000	6,997
									$180,844

1/ Deduction of $14,000 comprised of $5,000 payment of Second Seamen's Insurance benefits and $9,000 for payment of Union Death Benefits.

2662

JAMES V. FANNING

Span B (Judgment to Retirement) 8/1/74-9/30/82

Year	Wages	No. of Minors	Taxes	Personal Expenses	Amount Available for Family	Amount Available for Wife	6% Discount Factor	Current Value
1974	$13,732	0	$ 3,237	$ 500	$ 9,995	$ 4,998 (50%)	1.0000	$ 4,998
1975	34,933		8,439	1,200	25,294	12,647 "	.9434	11,931
1976	37,029		9,302	1,200	26,527	13,264 "	.8900	11,805
1977	39,251		10,235	1,200	27,816	13,908 "	.8396	11,677
1978	41,606		11,287	1,200	29,119	14,560 "	.7921	11,533
1979	44,102		12,429	1,200	30,573	15,287 "	.7473	11,424
1980	46,748		13,699	1,200	31,849	15,925 "	.7050	11,227
1981	49,553		15,086	1,200	33,268	16,634 "	.6651	11,063
1982	39,395		10,296	900	28,199	14,100 "	.6274	8,846
								$94,504

JAMES V. FANNING

Span C (Retirement) 10/1/82-7/31/94

Year	Pension 1/	No. of Minors	Taxes	Personal Expenses	Amount Available for Family	Amount Available for Wife	6% Discount Factor	Current Value
1982	$ 4,878	0	-0-	$ 300	$ 4,578	$2,289 (50%)	.6274	$ 1,436
1983	19,512			1,200	18,312	9,156	.5919	5,419
1984	19,512			1,200	18,312	9,156	.5584	5,113
1985	19,512			1,200	18,312	9,156	.5268	4,823
1986	19,512			1,200	18,312	9,156	.4970	4,551
1987	19,512			1,200	18,312	9,156	.4688	4,292
1988	19,512			1,200	18,312	9,156	.4423	4,050
1989	19,512			1,200	18,312	9,156	.4173	3,821
1990	19,512			1,200	18,312	9,156	.3936	3,604
1991	19,512			1,200	18,312	9,156	.3714	3,401
1992	19,512			1,200	18,312	9,156	.3503	3,207
1993	19,512			1,200	18,312	9,156	.3305	3,026
1994	11,375			700	10,675	5,338	.3118	1,664
								$48,407

1/ Base pay of $1,896 per month projected at 6% until expiration of current contract in 1975; thereafter at increase of 4.6% a month.
Formula: 60% of average base pay for 5 highest years in last 10 work years.

EGG2

ADAM MARTIN

Span A (Pre-Judgment Recovery) 2/4/63-7/31/74

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Decedent's Share of General Exp. [4/]	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$10,747 [1/]	0	$1,100	-0-	$ 9,647	$ 4,824	-0-	1.8983	-0-
1964	13,042 [2/]		1,200	-0-	11,842	5,921	-0- [5/]	1.7908	-0-
1965	13,195		1,200	-0-	11,995	5,998	$ 3,755)	1.6895	6,344
1966	13,636		1,200	-0-	12,436	6,218	6,218	1.5938	9,910
1967	14,368		1,200	-0-	13,168	6,584	6,584	1.5036	9,900
1968	15,212		1,200	-0-	14,012	7,006	7,006	1.4185	9,938
1969	16,772		1,200	-0-	15,572	7,786	7,786	1.3382	10,419
1970	19,202		1,200	-0-	18,002	9,001	9,001	1.2625	11,364
1971	21,804		1,200	-0-	20,604	10,302	10,302	1.1910	12,270
1972	23,728		1,200	-0-	22,528	11,264	11,264	1.1236	12,656
1973	24,841		1,200	-0-	23,641	11,821	11,821	1.0600	12,530
1974	15,360 [3/]		700	3,084	11,576	5,788	5,788	1.0000	5,788
									$101,119

1/ As 3rd Ass't. Engr. $11,724 less 1 Mo. pay rec'd. (Ex. 30).
2/ Presumed resumption of duties of 2nd Asst. Engr. (Ex. 32).
3/ Projected increase of 6%.
4/ 50% (Weinfeld formula).
5/ Deduction of $5,000 Second Seamen's Insurance benefits, plus $9,500 for payment of Union Death Benefits.

2369a

ADAM MARTIN

Span B (Judgment to Retirement) 8/1/74-5/18/80

Year	Gross Income 1/	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amount Available for Wife 3/	6% Discount Factor	Current Value
1974	$10,971	0	$ 500	$2,202	$ 8,269	$ 4,135	1.0000	$ 4,135
1975	27,911		1,200	5,808	20,903	10,452	.9434	9,860
1976	29,586		1,200	6,411	21,975	10,988	.8900	9,779
1977	31,361		1,200	7,050	23,111	11,556	.8396	9,702
1978	33,243		1,200	7,780	24,263	12,132	.7921	9,610
1979	35,238		1,200	8,558	25,480	12,740	.7473	9,521
1980	14,009 2/		450	-0-	13,559	6,780	.7050	4,843
								$57,456

1/ Projected annual increases of 6%.

2/ 4-1/2 Mos. of anticipated 1980 salary of $37,352 ($37,352 ÷ 12 = $3,113 X 4.5 = $14,009).

3/ 50% (Weinfeld Formula).

2702

ADAM MARTIN

Span C (Retirement) 5/19/80-5/18/88

Year	Gross Income 1/	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Decedent's Share of General Exp. 2/	Lost Contributions	6% Disc. Factor	Current Value
1980	$4,528	0	$ 750	-0-	$3,778	$1,889	$1,889	.7050	$ 1,332
1981	7,405		1,200		6,205	3,103	3,103	.6651	2,064
1982	7,405		1,200		6,205	3,103	3,103	.6274	1,947
1983	7,405		1,200		6,205	3,103	3,103	.5919	1,837
1984	7,405		1,200		6,205	3,103	3,103	.5584	1,733
1985	7,405		1,200		6,205	3,103	3,103	.5268	1,635
1986	7,405		1,200		6,205	3,103	3,103	.4970	1,542
1987	7,405		1,200		6,205	3,103	3,103	.4688	1,455
1988	2,777		450		2,327	1,164	1,164	.4423	515
									$14,060

1/ 1972 Base pay of $1,090 increased annually at 4.6% to determine base pay in 1980 year of retirement: Average base pay for last five years equals $1,430.93 per month at which 43-1/8% gives pension of $7,405 per year.

2/ Husband and wife. Figured at 50% (Weinfeld Formula).

EUGENE V. SCHNEEBERGER

Span A (Pre-judgment Recovery) 2/4/63-7/31/74)

Year	Gross Income [1]	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amt. Available for Wife and Children	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$ 9,554 [2]	2	$1,100		$ 8,454	$ 6,341 (75%)	-0-)	1.8983	-0-
1964	11,623	2	1,200		10,423	7,817 "	$ 4,658) [4]	1.7908	$ 8,342
1965	12,227	2	1,200		11,027	8,270 "	8,270	1.6895	13,972
1966	12,844	2	1,200		11,644	8,733 "	8,733	1.5938	13,919
1967	13,174	2	1,200		11,974	8,981 "	8,981	1.5036	13,504
1968	16,971 [3]	2	1,200		15,771	11,828 "	11,828	1.4185	16,778
1969	18,983	2	1,200		17,783	13,337 "	13,337	1.3382	17,848
1970	23,150	1	1,200		21,950	14,634 (66-2/3%)	14,634	1.2625	18,475
1971	25,685	0	1,200	$4,695	19,790	9,895 (50%)	9,895	1,1910	11,785
1972	28,447	0	1,200	5,483	21,764	10,882 "	10,882	1.1236	12,227
1973	30,008	0	1,200	6,293	22,515	11,258 "	11,258	1.0600	11,933
1974	18,590	0	700	4,249	13,641	6,821 "	6,821	1.0000	6,821
									$145,604

1/ Average in each classification of Schamann and Marine Texan earnings.
2/ Less 1963 earnings paid.
3/ Presumed advance to permanent 1st Ass't. Engr.
4/ Adjustment by reason of death benefits paid to widow ($9,500).
5/ A loss to the wife, they are nontheless not entitled to share in the award. (449 F.2d 1209)

P2412

EUGENE V. SCHNEEBERGER

Span B (Judgement to Retirement) 8/1/74-7/1/81

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amount Available for Wife	6% Discount Factor	Current Value
1974	$13,279	0	$ 500	$ 3,035	$ 9,744	$ 4,872	1.0000	$ 4,872
1975	34,036	"	1,200	8,089	24,747	12,374	.9434	11,674
1976	36,078	"	1,200	8,907	25,971	12,986	.8900	11,558
1977	38,880 1/	"	1,200	10,080	27,600	13,800	.8396	11,585
1978	41,213	"	1,200	11,111	28,902	14,451	.7921	11,447
1979	43,686	"	1,200	12,229	30,257	15,129	.7473	11,306
1980	46,307	"	1,200	13,487	31,620	15,810	.7050	11,146
1981	24,543	"	600	-0-	23,943	11,972	.6651	7,963
								$81,551

1/ Anticipated advance to Permanent First/Relief Chief Engineer at 6% annual increase.

2773a

Span C (Retirement) 7/1/81-4/2/96

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amount Available for Wife	6% Discount Factor	Current Value
1981	$ 6,060	0	$ 600	-0-	$ 5,460	$2,730	.6651	$ 1,816
1982	12,120		1,200		10,920	5,460	.6274	3,426
1983	12,120		1,200		10,920	5,460	.5919	3,232
1984	12,120		1,200		10,920	5,460	.5584	3,049
1985	12,120		1,200		10,920	5,460	.5268	2,876
1986	12,120		1,200		10,920	5,460	.4970	2,714
1987	12,120		1,200		10,920	5,460	.4688	2,560
1988	12,120		1,200		10,920	5,460	.4423	2,415
1989	12,120		1,200		10,920	5,460	.4173	2,278
1990	12,120		1,200		10,920	5,460	.3936	2,149
1991	12,120		1,200		10,920	5,460	.3714	2,028
1992	12,120		1,200		10,920	5,460	.3503	1,913
1993	12,120		1,200		10,920	5,460	.3305	1,805
1994	12,120		1,200		10,920	5,460	.3118	1,702
1995	12,120		1,200		10,920	5,460	.2942	1,606
1996	3,030		300		2,730	1,365	.2775	379
								$35,948

ALBERT R. Van SICKLE

Span A (Pre-judgment to Recovery) 2/4/63-7/31/74

Year	Gross Income [1]	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amt. Available to Wife and Children	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$ 9,020 [2]	2	$1,100	-0-	$ 7,920	$ 5,940 (75%)	-0- [4]	1.8983	-0-
1964	10,462	2	1,200		9,262	6,947 "	-0- [4]	1.7908	-0-
1965	10,408	1	1,200		9,208	6,139 (66-2/3%)	4,526 [4]	1.6895	7,647
1966	10,911	1	1,200		9,711	6,474 "	6,474	1.5938	10,318
1967	11,234	1	1,200		10,034	6,690 "	6,690	1.5036	10,059
1968	13,106 [3]	1	1,200		11,906	7,938 "	7,938	1.4185	11,260
1969	14,559	1	1,200		13,359	8,906 "	8,906	1.3382	11,918
1970	18,138	1	1,200		16,938	11,293 "	11,293	1.2625	14.257
1971	21,249	1	1,200		20,049	13,367 "	13,367	1.1910	15,920
1972	23,628	1	1,200		22,428	14,953 "	14,953	1.1236	16,801
1973	25,161	1	1,200	$4,672	19,289	12,860 "	12,860	1.0600	13,632
1974	15,736	1	700	3,030	12,006	8,004 "	8,004	1.0000	8,004
									$119,816

1/ Average Schamann and Marine Texan.
2/ Net after deduction of $955.35 - 1963 wages paid.
3/ Presumed advance to Permanent Second/Relief First.
4/ Deduction of $14,500 insurance benefits received.

2102

ALBERT R. Van SICKLE

Span B (Judgment to Retirement) 8/1/74-12/31/83

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	Amt. Available to Wife & Child	6% Discount Factor	Current Value
1974	$11,240	1	$ 500	$ 2,164	$ 8,576	$ 5,720 (66-2/3%)	1.0000	$ 5,720
1975	29,795 1/	1	1,200	6,216	22,379	14,920	.9434	14,076
1976	31,583	1	1,200	6,860	23,523	15,683	.8900	13,958
1977	33,478	1	1,200	7,579	24,699	16,467	.8396	13,826
1978	35,487	1	1,200	8,362	25,925	17,284	.7921	13,691
1979	37,616	1	1,200	9,234	27,182	18,122	.7473	13,543
1980	39,873	1	1,200	10,182	28,491	18,995	.7050	13,391
1981	42,265	1	1,200	11,247	29,818	19,880	.6651	13,222
1982	44,801	1	1,200	12,404	31,197	20,799	.6274	13,049
1993 2/	47,489	1	1,200	13,695	32,594	21,730	.5919	12,862
								$127,338

1/ Presumed advance to First Asst. Engr. sailing at 91.7% of full employment (PLT's Table B(1)).

2/ It is presumed decedent would retire at the end of 1983, the year in which he reaches his 60th birthday and became eligible for the 30 year pension.

ALBERT R. Van SICKLE

Span C (Retirement) 1/1/84-8/9/95

Year	Gross Income 1/	Dep. Child	Personal Expenses	Taxes	Amount Available for Family	Amount Available to Wife and Dependent	6% Discount Factor	Current Value
1984	$11,424	1	$1,200	-0-	$10,224	$6,816 (66-2/3%)	.5584	$ 3,806
1985	11,424	1	1,200		10,224	6,816 "	.5268	3,591
1986	11,424	1	1,200		10,224	6,817 "	.4970	3,388
1987	11,424	1	1.200		10,224	6,816 "	.4688	3,195
1988	11,424	1	1,200		10,224	6,816 "	.4423	3,015
1989	11,424	1	1,200		10,224	6,817 "	.4173	2,845
1990	11,424	1	1,200		10,224	6,816 "	.3936	2,683
1991	11,424	1	1,200		10,224	6,816 "	.3714	2,531
1992	11,424	1	1.200		10,224	6,817 "	.3503	2,388
1993	11,424	1	1,200		10,224	6,816 "	.3305	2,253
1994	11,424	1	1,200		10,224	6,816 "	.3118	2,125
1995	7,140	1	750		6,390	4,260 "	.2942	1,253
								$33,073

1/ Plaintiff's estimate of retirement income at end of 1983 appears accurate and is adopted here.

2172

GEORGE WATSON

Span A (Pre-judgment Recovwery) 2/4/63-7/31/74

Year	Gross Income	Minors	Personal Expenses	Taxes	Amount Available for Family	Amount[3] Available to Wife	Lost Contributions	6% Comp. Interest Factor	Current Value
1963	$16,118	0	$1,100		$15,018	$ 7,509	-0-[4]	1.8983	-0-
1964	16,253		1,200		15,053	7,527	$ 1,036[4]	1.7908	$ 1,855
1965	17,787		1,200		16,587	8,294	8,294	1.6895	14,013
1966	16,279		1,200		15,079	7,540	7,540	1.5938	12,017
1967	18,003		1,200		16,803	8,402	8,402	1.5036	12,633
1968	20,693[1]		1,200		19,493	9,747	9,747	1.4185	13,826
1969	23,432		1,200		22,232	11,116	11,116	1.3382	14,875
1970	28,404		1,200	$6,363	20,841	10,421	10,421	1.2625	13,157
1971	30,676		1,200	7,037	22,439	11,220	11,220	1.1910	13,363
1972	29,331		1,200	6,319	21,812	10,906	10,906	1.1236	12,254
1973	31,091		1,200	6,953	22,938	11,469	11,469	1.0600	12,157
1974	19,224		700	4,414[2]	14,110	7,055	7,055	1.000	7,055
									$127,205

1/ Presumed and stipulated advance to Master.
2/ 7 Mos. of 1974 tax of $7,667.
3/ 50% under Weinfeld Formula.
4/ Deduction for $14,000 insurance benefits received.

GEORGE WATSON

Span B (Judgment to Retirement) 8/1/74-12/31/75

Year	Gross Income	Minors	Personal Expenses	Taxes	Amount Available for Family	Amount Available for Wife [1]	6% Discount Factor	Current Value
1974	$13,732	0	$ 500	$3,153	$10,079	$ 5,040	1.000	$ 3,040
1975 [2]	34,933		1,200	8,439	25,294	12,647	.9434	11,931
								$16,971

1/ 50% Weinfeld Formula.

2/ Retirement end of 1975 at age 64+.

2132

GEORGE WATSON

Span C (Retirement) 1/1/76-12/31/88

Year	Gross Income	No. of Minors	Personal Expenses	Taxes	Amount Available for Family	50% Amount Available to Wife	6% Discount Factor	Current Value
1976	$14,110	0	$1,200	-0-	$12,910	$6,455	1.0000	$ 6,455
1977	14,110		1,200		12,910	6,455	.9434	6,090
1978	14,110		1,200		12,910	6,455	.8900	5,745
1979	14,110		1,200		12,910	6,455	.8396	5,420
1980	14,110		1,200		12,910	6,455	.7921	5,113
1981	14,110		1,200		12,910	6,455	.7473	4,824
1982	14,110		1,200		12,910	6,455	.7050	4,551
1983	14,110		1,200		12,910	6,455	.6651	4,293
1984	14,110		1,200		12,910	6,455	.6274	4,050
1985	14,110		1,200		12,910	6,455	.5919	3,821
1986	14,110		1,200		12,910	6,455	.5580	3,602
1987	14,110		1,200		12,910	6,455	.5268	3,400
1988	14,110		1,200		12,910	6,455	.4970	3,208
								$60,572

2802

JUDGMENT OF HON. JOHN M. CANNELLA

Entered November 25, 1974

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

U.S. DISTRICT COURT
FILED
NOV 25 1974
S.D. OF N.Y.

In the Matter of

The Petition for Limitation of Liability of

MARINE SULPHUR TRANSPORT CORPORATION

As Owner,

and

MARINE TRANSPORT LINES, INC.,

As Demise Charterer,

of the

Vessel "MARINE SULPHUR QUEEN"

63 AD 237 JMC

HALGA WATSON, as widow and executrix of the Estate of George Watson, deceased,

Plaintiff,

-against-

MARINE SULPHUR TRANSPORT CORP. and MARINE TRANSPORT LINES, INC.

Defendants.

DECREE AND ORDER

Judgment # 74,909

63 Civ. 486 JMC

The claim of the surviving dependent beneficiary of George Watson, deceased, having been tried before this Court, a jury having been waived by the claimant and Plaintiff, Halga Watson, Executrix of the Estate of George Watson, deceased, on her own behalf as the sole surviving dependent beneficiary of the deceased, and the Court having rendered its opinion dated July 31, 1974 finding that the said sole surviving dependent beneficiary of the deceased sustained the following damages;

Halga Watson, widow of decedent $204,748

it is

ORDERED, ADJUDGED AND DECREED that HALGA WATSON, as Executrix of the Estate of George Watson, deceased, have judgment against Marine Sulphur Transport Corporation and Marine Transport Lines, Inc. for the sum of Two Hundred Four Thousand Seven Hundred Forty Eight ($204,748) Dollars and taxable costs and it is further

ORDERED, ADJUDGED AND DECREED that the said Marine Sulphur Transport Corporation and Marine Transport Lines, Inc. shall make payment of these damages in accordance with this Order to Halga Watson and her attorneys Schwartz & O'Connell.

John M Connell
U.S.D.J.

Dated: New York, New York
November, 18th 1974

JUDGMENT ENTERED — 11-25-74
Raymond F. Burghardt
CLERK

AMENDED NOTICE OF APPEAL

Case No. 63 AD 237 (JMC)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

In the Matter of the Petition for Limitation of Liability

of

MARINE SULPHUR TRANSPORT CORPORATION,

As Owner,

and

MARINE TRANSPORT LINES, INC.,

As Demise Charterer,

of the Vessel MARINE SULPHUR QUEEN.

----------x

AMENDED NOTICE OF APPEAL

63 AD 237 (JMC)

Notice is hereby given that Halga Watson, as widow and Executrix of the Estate of George Watson, deceased, claimant in this action, hereby appeals to the United States Court of Appeals for the Second Circuit from the Decree and Order of the Honorable John M. Cannella, and the Final Judgment entered in this action November 25, 1974.

Dated: New York, New York
December 16, 1974

SCHWARTZ & O'CONNELL

By: Barbara G. Epstein

Attorneys for Claimant
Halga Watson, as widow and
Executrix of the Estate of
George Watson, deceased
243 Waverly Place
New York, New York 10014

TO:

MENDES & MOUNT, ESQS.
Attorneys for Petitioners
MARINE SULPHUR TRANSPORT
CORPORATION and MARINE
TRANSPORT LINES, INC.
27 William Street
New York, New York 10005

AMENDED NOTICE OF APPEAL

Case No. 63 Civ. 486 (JMC)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x

HALGA WATSON, as widow and Executrix of the Estate of George Watson, deceased,

Plaintiff,

-against-

MARINE SULPHUR TRANSPORT CORP. and MARINE TRANSPORT LINES, INC.,

Defendants.

----------x

AMENDED NOTICE OF APPEAL

63 Civ. 486 JMC

Notice is hereby given that Halga Watson, as Widow and Executrix of the Estate of George Watson, deceased, plaintiff in this action, hereby appeals to the United States Court of Appeals for the Second Circuit from the Decree and Order of the Honorable John M. Cannella, and the Final Judgment entered in this action on November 25, 1974.

Dated: New York, New York
December 16, 1974

SCHWARTZ & O'CONNELL

By _____

Attorneys for Plaintiff
HALGA WATSON, as widow and
Executrix of the Estate of
GEORGE WATSON, deceased
243 Waverly Place
New York, New York 10014

TO:

MENDES AND MOUNT, ESQS.
Attorneys for Defendant
MARINE SULPHUR TRANSPORT
CORPORATION AND MARINE
TRANSPORT LINES, INC.
27 William Street
New York, New York 10005

CROSS-NOTICE OF APPEAL

Case No. 63 AD 237 (JMC)

U.S. DIST. COURT
FILED
DEC. 30, 1974
S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In the Matter of the Petition for Limitation of Liability

of

MARINE SULPHUR TRANSPORT CORPORATION,

As Owner,

and

MARINE TRANSPORT LINES, INC.,

As Demise Charterer,

of the Vessel MARINE SULPHUR QUEEN

CROSS NOTICE OF APPEAL

63 AD 237 (JMC)

Notice is hereby given that MARINE SULPHUR TRANSPORT CORPORATION, as owner, and MARINE TRANSPORT LINES, INC., as demise charterer of the Vessel MARINE SULPHUR QUEEN, petitioners in this action, hereby appeal to the United States Court of Appeals for the Second Circuit from the Decree and Order of the Honorable John M. Cannella, and the Final Judgment entered in this action November 25, 1974.

Dated: New York, New York
December 27, 1974

MENDES & MOUNT, ESQS.

By: _____

Attorneys for Petitioners
MARINE SULPHUR TRANSPORT
CORPORATION and MARINE
TRANSPORT LINES, INC.
27 William Street
New York, New York 10005

TO:

SCHWARTZ & O'CONNELL
Attorneys for Claimant
Halga Watson, as widow and
Executrix of the Estate of
George Watson, deceased
243 Waverly Place
New York, New York 10014

U.S. DIST. COURT
FILED
Dec 30, 1974
S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HALGA WATSON, as widow and Executrix of the Estate of George Watson, deceased,

Plaintiff,

-against-

MARINE SULPHUR TRANSPORT CORP. and MARINE TRANSPORT LINES, INC.,

Defendants.

CROSS NOTICE OF APPEAL

63 Civ. 486 (JMC)

Notice is hereby given that MARINE SULPHUR TRANSPORT CORP., and MARINE TRANSPORT LINES, INC., defendants in this action, hereby appeal to the United States Court of Appeals for the Second Circuit from the Decree and Order of the Honorable John M. Cannella, and the Final Judgment entered in this action on November 25, 1974.

Dated: New York, New York
December 27, 1974

MENDES & MOUNT, ESQS.

By Bernard J. Tonra

Attorneys for Defendant
MARINE SULPHUR TRANSPORT
CORP., and MARINE TRANSPORT
LINES, INC.
27 William Street
New York, New York 1005

TO:

SCHWARTZ & O'CONNELL
Attorneys for Plaintiff
HALGA WATSON, as widow and
Executrix of the Estate of
George Watson, deceased
243 Waverly Place
New York, New York 10014

COPY RECEIVED
MAR 3 1975
CADWALADER, WICKERSHAM & TAFT
ATTORNEYS FOR